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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 20, 1999.

I hereby appoint the Honorable CHARLES F. BASS to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 52. Concurrent resolution authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.

H. Con. Res. 81. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 249. An act to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 330. An act to promote the research, identification, assessment, exploration, and development of methane hydrate resources, and for other purposes.

S. 361. An act 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.

S. 426. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes.

S. 430. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes.

S. 449. An act 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.

S. 531. An act to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

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.

EARTH DAY 1999

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, this week, we celebrate Earth Day, Thursday, April 22. Many will use this occasion to highlight major policy issues, as well they should, issues dealing with greenhouse gases, the effects of global warming, and the pollution of our world's oceans.

However, I feel that the real power to be demonstrated is at the other end of the spectrum, dealing with individual actions. Many of us here on Capitol Hill will celebrate Earth Day with a bike ride. People from the Capitol, commuters, business people from all over the region, will converge on Freedom Plaza on Pennsylvania Avenue, illustrating the impact that people can have dealing with this very simple and efficient mode of transportation. Yet, we do not need to have everybody trade their car in for a bicycle. If people in our community will choose to take just one less trip a week, whether that is by foot, by transit, by bicycle, or simply consolidating their other journeys to produce that one trip reduction, it can have a phenomenal impact in terms of reducing air pollution, congestion, and the requirement for more investment in infrastructure.

The most important thing is for people to think about their behavior and think about the little things we can do to make things better: Shopping locally, or treating their own yard like they would like farmers and industry to conserve their property. Whether it is conserving water, dealing with native vegetations, using less toxic herbicides or fertilizer, we can all make a big difference.

Mr. Speaker, I think there is plenty of room for us in Congress to have an impact on the environment. To be sure, I hope this session will deal with things like water policy, spending our money in more environmentally responsible ways, in Superfund reform, but I would hope that this Congress will also continue the effort to try and focus on the little things that we can do to make a difference.

I am pleased that this year we have finally caught up with the rest of America, as the Federal Government has for years told the private sector to reduce employee commute trips by single-occupant vehicles. Congress has finally started to do what we have asked the private sector to do by providing

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an opportunity for our employees to have subsidized Metro passes.

I am, however, continually embarrassed, as I know most Members of Congress are, when the reports come out, as they did last week, about our abysmal record of recycling here on Capitol Hill. In the 3 years I have been a Member of Congress, the total proceeds from all of our recycling effort for over 8,000 employees on Capitol Hill has been less than $27,000. I am sure that there are Boy Scout troops in my community that have raised more money from recycling Christmas trees, bottles and cans than the entire U.S. Congress did in those 3 years. For the year of 1997, the net proceeds was $7.51 for recycling high-grade paper. There are homeless people around Capitol Hill that make more than that in a day recycling bottles and cans.

Mr. Speaker, I hope as we have a lot of rhetoric around Congress that we want to live by the rules that we apply to other people. I hope that in the final analysis we will apply that to our individual offices, and step up to behave the way we are asking the rest of America to behave in terms of recycling. I think our record ought to be something that we ought to be proud of, not something that makes us cringe, and I hope that each Member of Congress will dedicate themselves this Earth Day to make it a record that we can, in fact, show to the American people and be proud of.

SOCIAL SECURITY DEBT LIMIT

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

Mr. SMITH of Michigan. Mr. Speaker, there is good news in terms of this Congress, this President, acknowledging that we must solve the Social Security problem.

Social Security was started back in 1935 with the anticipation that there would be a continuing growth in the labor force. What has happened with this pay-as-you-go program where existing workers are paying in their Social Security taxes, and that tax is immediately sent out to existing retirees, is the demographic changes. The number of individuals working and paying in that tax in relation to the increasing number of retirees is creating a situation where Social Security is becoming insolvent. It cannot be sustained.

Let me just give a couple of examples. In 1940 we had 41 individual workers paying in their tax for every one retiree. By 1950, it went down to 17 workers paying in their Social Security tax for every one retiree. Guess what it is today. Today there are three workers paying in their Social Security tax to pay the benefits for every one retiree.

The estimate is that by the year 2030 there will only be two people working. So we can see a huge problem in continuing to ask the fewer and fewer number of workers to pay in a higher and higher tax to accommodate every retiree. Taxes have already significantly increased over the last several years.

Since 1971, Social Security taxes have been increased 36 times. More often than once a year, we have increased the rate of the base for Social Security taxes to accommodate the increased requirement to pay benefits for existing retirees from a fewer number of workers.

So the question that we are now faced with is how do we change the Social Security system to keep it solvent? How do we either increase revenues coming into the system or reduce benefits so that the Social Security system can last for tomorrow's retirees and not put a huge burden on future generations to pay more and more taxes for Social Security?

I think the President suggesting that we have to put Social Security first has increased the awareness that something has to be done. In the next several days and weeks, I will be introducing my Social Security bill. It will be the third Social Security bill I have introduced that will keep Social Security solvent. Other Members, such as the gentleman from Arizona (Mr. KOLBE) and the gentleman from Texas (Mr. STENHOLM), will be introducing the bill that they worked up to keep Social Security solvent. Some are suggesting only temporary solutions.

I see problems in temporary solutions. I see even greater problems in solutions such as those proposed by some Democrats, the President, that have suggested that we simply add a new giant IOU to the Social Security Trust Fund and therefore somehow it is calculated that that is going to keep Social Security solvent without any changes in the program. It cannot happen. It will not work. Simply adding another IOU to the Social Security Trust Fund, in effect mandates that taxes will be increased on our kids and our grandkids to pay future benefits.

Mr. Speaker, we can only raise taxes so high, and right now taxes in this country are the highest in history. Partial solutions divert attention for long term solutions and also increase the likelihood of future tax increases.

Both Republicans and Democrats have suggested that until we come up with a long term solution, the Social Security Trust Fund surplus be used to pay down the public debt. However, some people in Washington want to replace the current public debt limit with two debt limits, one for Treasury securities held by the public, and one for IOUs held by the Social Security Trust Fund. This is a bad idea that would send a message that debt owed to the trust fund is less important than the debt owed to Wall Street.

Some want the new statistics so that they can brag about reducing the debt held by the public. That is true, but it does not matter because the total government debt would continue to increase. Others suggest that we could consider writing off the debt owed to the trust fund because really that is just what government owes itself. That is wrong and dangerous.

Mr. Speaker, I ask my colleagues to fight against any proposal that simply adds a new giant IOU to the trust fund but does not change the system to keep it solvent. I ask my colleagues to oppose temporary solutions which again just demand a tax increase in some future years. Let us step up to the plate, let us do what is necessary to solve Social Security now and keep it solvent for future generations.

A STRONG U.S.-ARMENIAN PARTNERSHIP IS NEEDED

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

Mr. PALLONE. Mr. Speaker, among the international dignitaries coming to Washington this weekend to take part in the NATO summit will be President Robert Kocharian of the Republic of Armenia. Although Armenia is not currently a member of NATO, President Kocharian, like other leaders of new democracies that were captive nations under the Soviet bloc, has been invited to Washington as part of the Partnership for Peace program.

As NATO celebrates its first half century, and particularly now, with NATO forces involved in the first combat operation in the history of the alliance, it is important for us to consider how we can make NATO a meaningful force for peace and security in the next century. We recently took our first major step towards changing the composition of the alliance to recognize the realities of the post-Cold War by admitting three former Warsaw Pact nations: Poland, Hungary and the Czech Republic. We need to continue this momentum by identifying other democratic nations whose security is important to the United States, who may wish to join NATO in the future.

While Armenia may be a small country, its importance as a strategic asset for the Western alliance should not be minimized. In the months and years following the summit, I hope we will see greater efforts to build on the U.S.-Armenian relationship, and along these lines, I will be circulating a letter among the Members of the House asking the President to devote greater attention to establishing a strong U.S.-Armenian partnership.

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Mr. Speaker, Armenia would be a logical candidate for future NATO expansion, and in the short term, as a closer partner on a wide range of security issues. Armenia is a pro-western Nation, despite its years as part of the Soviet Union. President Kocharian is a legitimately elected head of state who

must answer to a democratically-elected parliament and be held accountable to a free press.

Despite a lack of experience with democracy and despite the security threats posed by hostile nations, Armenia is moving rapidly to establish the institutions of civil society and democratic governments.

On the domestic economic front, Armenia has moved aggressively with a privatization campaign. Small businesses are blossoming. Armenia's success as a free democracy in a region of the world where both of these qualities are lacking makes it a notable example of an emerging Nation that has embraced many of our values against very daunting odds.

On the security front, Mr. Speaker, NATO Secretary General Javier Solano has already met with Armenia defense and national security officials. Armenia's central location at the crossroads between Asia and Europe has been recognized by American officials and our allies, but we need to pay more attention.

Armenia has also earned increased respect from the United States and the Western alliance for its constructive role in the Nagorno Karabagh conflict.

As I have mentioned in this Chamber on several occasions, Nagorno Karabagh is an Armenian-populated region that has declared its independence, but is still claimed by the neighboring Republic of Azerbaijan. A bloody war was fought earlier in this decade, with the Karabagh Armenians successfully defending their homelands. A ceasefire was accepted by both sides in 1994, but a political settlement has not been reached.

Under the Organization for Security and Cooperation in Europe, the United States is a cochair of the negotiating group formed to resolve this conflict.

The United States and our OSCE partners have put forward a peace plan to resolve this conflict. Armenia and Nagorno Karabagh have both accepted the American-supported plan as a basis for negotiation, and Azerbaijan unfortunately has rejected the approach. Considering how policymakers in Congress and the administration have identified an establish the Caucasus region as a vital interest, we should do more to reward those countries which are willing to work constructively to resolve longstanding differences.

Mr. Speaker, President Kocharian's visit coincides with an important and tragic date. April 24 is solemnly commemorated as the anniversary of the unleashing of the genocide by the Ottoman Turkish empire of 1915 through 1923 that ultimately claimed the lives of 1.5 million Armenians.

There will be a reception tomorrow evening in commemoration of the genocide, as well as a series of speeches by Members of Congress. We cannot allow the world to forget the genocide. The lesson of the Armenian genocide should not be lost on us as we witness the heartbreaking TV images from Kosovo. Truly, a major justification for the NATO campaign is to try to ensure that the 20th century, which began in genocide, not end in genocide.

Back in the waning years of the Ottoman Empire, when Armenians were being murdered and deported, and their homes and communities burned and destroyed, and all record of the Armenian presence erased, there was no Western alliance of democracies like NATO committed to stopping aggression, brutality and genocide.

I just want to say in conclusion, I want to take this opportunity to express my admiration for our men and women in uniform who are fighting to stop the horrible ethnic cleansing of the Kosovar Albanians. At the same time, I urge the administration to assert far more pressure on Azerbaijan to constructively participate in the Nagorno Karabagh peace process.

As we remember the martyrs of the Armenian genocide, and as we witness the tragic events unfolding today in the Balkans, we must do all in our power to prevent another genocide in the mountains and valleys of Nagorno-Karabagh.

THE 50TH ANNIVERSARY OF NATO

The SPEAKER pro tempore (Mr. BASS). 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 comment on the upcoming celebration this weekend of the 50th anniversary of the North Atlantic Treaty Organization and, of course, on the ongoing military operation against Yugoslavia.

The NATO allies will also meet for its annual summit and formally welcome the three new members, Hungary, Poland, and the Czech Republics.

I was watching Nightline on Friday evening, Mr. Speaker, and the subject was NATO and its 50th anniversary. In one segment of the program, they went around Washington, D.C. and actually asked different citizens what they believed the role of NATO should be.

Most answered that NATO should be ''peacekeepers for any conflict,'' or that NATO ''should protect humanity,'' or they should stop genocide. With all due respect to their opinions, each of these Americans were not correct about what NATO's initial responsibility should be.

NATO was created to be solely a collective security arrangement for the Western allies against Soviet and Eastern Bloc aggression. NATO came into being 50 years ago when the U.S. joined its allies in signing the treaty on April 4, 1949. The U.S. Senate went on to ratify the treaty on July 21, 1949.

I am concerned with the current operations against Yugoslavia as a NATO operation. NATO does not have the authority under the current treaty terms to engage in the actions against Yugoslavia. By doing so, the stakes have been raised dramatically high. The President has allowed NATO to be put into a position that in order to prove its validity and effectiveness in a post-Cold War world, NATO has to win this war at all costs. This rigidity has prevented the administration and our NATO allies to take the sensible steps on seeking diplomatic solutions.

In fact, the administration last week flatly refused to consider a possible diplomatic opening that Germany was trying to seek with Yugoslavia.

Again, the President is intentionally raising the stakes in this engagement that makes anything less than our all-out victory a defeat. This strategy places U.S. prestige and ability to carry out our will in the world at tremendous risk. As stated before, this operation also brings into question the purpose of NATO in today's world.

The current operation against Yugoslavia is draining our military capability. There are some reports that the Navy was down to 200 cruise missiles in the theater of operation.

Nightline reported last night that out of over 6,000 sorties flown in the last 28 days, only 1,700 have been bombing missions. After 6 years of stretching our military too thin, the administration has placed our Nation's military abilities at dangerously low levels.

The shrinking cruise missile supply, combined with our military having to convert our nuclear-tipped missiles to conventional warheads, places our abilities in a global scale at hazardous levels. If our Nation is faced with a second conflict, the security of the world is at great peril.

During this weekend's NATO summit, the NATO leaders will discuss changing the strategic concept of NATO from a defensive organization towards a more proactive force to combat new global risks such as proliferation of nuclear, chemical, and biological weapons. The administration seems to want NATO to be a global force ready to tackle any trouble in the world.

If this administration seeks to change the basic concept of NATO, it would violate the U.S. Constitution. Here is why. The treaty signed in 1949 was to provide for the defense of Western Europe. Any change to that treaty would require a new treaty, and therefore confirmation by the U.S. Senate by a two-thirds majority.

Mr. Speaker, it seems this administration is out to conduct a military action here. Secretary Madeleine Albright recently stated, ''The military are our regulars now, so this is their job. What else would they be doing if we didn't give them their battles to fight?''

Secretary Albright also recently testified before Congress and said, ''I would rather be up here defending myself for not having a plan than having to defend myself for not doing anything.''

So, Mr. Speaker, when we have this kind of rhetoric from the White House, choosing to use our military in a questionable war because the military has ''nothing better to do,'' or that their use without a strategy is better than ''not doing anything,'' is when events like Vietnam occur.

AMERICA'S EXPORT CONTROL POLICY

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

Mr. SMITH of Washington. Mr. Speaker, I rise today to discuss our Nation's export control policy. Obviously, economic growth is a key to a prosperous future in this country, but that fact points out how important exports are.

When we look at the world right now, we have a unique situation where, though the United States represents only 4 percent of the world's population, we currently consume 20 percent of the world's goods, services, and products.

In other words, if we are going to have economic growth in the country, we are going to have to open up foreign markets. We are going to have to export, and take advantage of that 96 percent of the world's population that does not reside in the United States.

When we look at it once again, the recent trade deficit figures just released today show another record trade deficit. There are a lot of issues that contribute to that. Today I would like to talk about just a couple that have to do with our export control policy, the policy of the United States in limiting the number of goods and products that can be exported from this country.

These are limited in a couple of ways. One of them is through what are called unilateral economic sanctions. That is basically where we as a country decide we disapprove of some action of another country, and then decide that we are not going to allow U.S. businesses to export to them.

I completely agree that we as a country need to stand up for things like democratic freedoms, religious freedoms, economic freedoms in the rest of the world, and do everything we can to encourage and promote those, but policies of unilateral economic sanctions do not get us there. Basically, all they do is force those countries to buy their goods from some other place.

The reason for this is the changing economy. As we have all heard, it has become a cliche now, we live in a global economy. What that means is if we attempt to impose our will on another country through unilateral economic sanctions, we will fail. It will not work, because that country can simply go to any one of the other members of this global economy and purchase what they want. All we accomplish in that situation is restricting our own companies' abilities to export.

Multilateral economic sanctions make a certain amount of sense. If we can get enough of our global partners together, as was in the case in South Africa, as is the case in Iraq, to institute export control policies so that it is not just us alone, the United States, then the policies can work and can exercise some influence to make some changes, as they did in South Africa.

What I am opposed to is the proliferation of unilateral economic sanctions that do not succeed in their stated goal and harm our economy. There are several bills in Congress right now that will attempt to change that policy. I am proud to be a cosponsor of the House bill, and I think we need to move in that direction.

I have brought a chart with me to illustrate the point. This chart shows the number of countries in the world that currently have some export controls on them; in other words, the number of countries which U.S. businesses are somehow limited in their ability to export to. We can see that it is a large number of countries, as they are represented in red. They cover a substantial portion of the globe and a substantial number of people; in other words, possible markets that we are losing out on as a country.

If we could change that policy and open up those markets, it could be a boon to U.S. industry, and I must once again point out these policies have not had much effect on changing the policies of the other countries that we want to see changed.

So unilateral economic sanctions have reached the point where they do not work. All they are is bad for U.S. companies. If we want to expand and grow, we are going to need access to these markets. We need to make those changes to get there.

There are a couple of other aspects of our export controls policy right now that are particularly troubling because they focus on technology. In other words, they focus on the highest-growing segment of our economy, and indeed of the world's economy. They are controls on encryption software and on computers.

Basically, the U.S. has a policy right now that basically looks at technology and says, we need to develop the best technology here in this country, and then for national security reasons, we are going to put our arms around it and prevent the rest of the world from getting it, it will be protecting our national security.

There are a number of flaws with this theory, but the biggest one I want to point out is, once again, the global economy. There is access to this technology from other countries other than the U.S. We cannot stop that. By implementing these policies, all we are doing is restricting U.S. companies' ability to participate.

The biggest point I want to make on restrictions of technology, this is not, and I repeat, not a choice between business and national security. If that was the case, absolutely, we would choose national security, end of story. The point is it does not help because these countries access the information elsewhere.

Take encryption as just one example, a simple software designed to protect programs. We restrict the exportation of top-of-the-line encryption technology, but top-of-the-line encryption technology is available from a number of other countries, and in fact we can download it off the Internet.

Our restrictions do not prevent these other countries from getting it, they only prevent our countries from being the ones that are able to sell it. In the long run this even harms national security by restricting our ability to develop the next best technology. We need to reexamine our policy of export controls for all of these reasons.

SUPPORT THE AFRICAN GROWTH AND OPPORTUNITY ACT

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

Mr. ROYCE. Mr. Speaker, it is crucial that the United States encourages economically reforming African countries. One of the ways to do that would be to pass the African Growth and Opportunity Act, a bill that will really put Africa on the course of joining the world economy.

Africa is the poorest continent today, largely because of the state-dominated development strategy that predominated for the first three decades of its era of independence. It was called African socialism, and it did not work for Africa. It did not work for Africa any better than it worked in Eastern Europe.

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Those economic policies help explain the difference today between a country like Ghana in West Africa and South Korea. In the early 1960s these two countries had similar per capita incomes. Ghana and most of Africa took the route of socialism, and they paid a very heavy price as a result.

Now, fortunately, many African countries, including Ghana, have changed course ever since the Berlin Wall came down. Ever since the West and Third World countries began to look at what had actually happened in Eastern Europe and in the former Soviet Union, they began liberalizing their economies. They began permitting private ownership of assets and becoming more welcoming of foreign investment and implementing the rule of law.

These reforms, which were encouraged by the United States and were undertaken with considerable political difficulty, have produced desirable results in many African countries. Many countries are seeing consistent economic growth of higher than 5 percent.

In some, it is 10 percent, up to 17 percent growth rates per year.

These reforms advance America's many interests in Africa. It is very important when we think about this to realize that, realistically, the U.S. could not isolate itself from a 21st Century where Africa is suffering with increased war and social upheaval and environmental degradation or international terrorism and drug trafficking.

Growing economic means for Africa is an antidote for this scenario, translating into improved educational and health services, better environmental protections and greater social stability.

President Museveni said that to meet all of the health and education needs of Uganda, they would have to build the tax base through economic reforms and introduce free enterprise. That is exactly what they have done, with very positive results.

So recovering African economies already offer the U.S. significant commercial opportunities. While African countries are still in the early stages of economic reform, America's growing exports, exports to Africa already total $6 billion per year. That supports 100,000 American jobs. American investment on the continent is increasing. American corporations, looking beyond the headlines of civil strife, are clearly recognizing opportunities in Africa.

The African Growth and Opportunity Act would strengthen these positive trends by putting Africa more firmly on the trade and investment map. This legislation would encourage qualifying African countries in annual, high-level trade forums, modeled after forums the U.S. holds with other regions of the world, to continue along this route of reducing tariffs and reforming the economy. These forums would have symbolic value, demonstrating that the world's most powerful economy takes Africa's economic development seriously.

American exporters and investors stand to benefit by the African Growth and Opportunity Act. Qualifying African countries would be reducing barriers to American goods and investment, including reducing tariffs and regulatory burdens and protecting private property. In other words, this legislation treats trade and investment as a two-way street.

The African Growth and Opportunity Act has received strong support from American businesses, particularly those already engaged in Africa and aware of the opportunities. There should be a sense of urgency about the African Growth and Opportunity Act. There should be a sense of urgency about Africa itself.

While several African countries are making encouraging economic progress, others are not. Africa's share of world trade and developing world foreign direct investment is small. Unless these trends are reversed, Africa runs a real risk of becoming economically irrelevant. I urge passage of the African Growth and Opportunity Act.

AGOA promises to make Africa more relevant to the world economy. That is why it enjoys the support of virtually every African country.

The African Growth and Opportunity Act is not a panacea for Africa's many challenges. But it would help.

While modest from an American perspective, AGOA promises tangible benefits and a psychological boost to those African countries wishing to become economic partners with the U.S.

This is the least we can do for countries fighting their best against the continent's economic marginalization, and worse.

Having encouraged difficult market-opening reforms, denying greater market access for a modest amount of African goods disrespects our many interests in Africa.

It is also indefensible policy toward the world's poorest continent just as it is developing some momentum.

I urge my colleagues to vote in favor of this Act when it reaches the House floor.

CHINESE ILLEGAL IMMIGRATION

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

Mr. UNDERWOOD. Mr. Speaker, last Tuesday, I came to the floor to speak about the escalating rush of illegal immigrants coming from the People's Republic of China directly into Guam. Just within the past week, another 257 more illegal immigrants coming from the People's Republic were apprehended at sea and brought to shore.

Last Thursday, on April 15, 152 Chinese nationals suspected of trying to enter Guam were interdicted by the U.S. Coast Guard. Fortunately, as a result of the efforts of my office, the governor's office, and I think a sensible policy pursued by the White House, and the cooperation of the government of the Northern Marianas, this vessel, instead of being taken to Guam, was taken to the Northern Marianas, where it was assumed because of the differing laws which are applicable to the Commonwealth, these nationals of the People's Republic of China will be more easily repatriated back to China.

Immediately after that vessel was detained, another vessel carrying 105 nationals from the People's Republic of China docked at Apra Harbor on Guam. This was yet the largest single apprehension on Guam, with 34 women and at least 6 juveniles.

According to the INS, the number of apprehended illegal immigrants from the People's Republic caught on Guam since January this year is now up to 585. As I have informed the House before and people of this country, these immigrants are coming directly from Fukien Province, are paying crime syndicates anywhere from $10,000 to $30,000 to ship them to the United States. Guam being the closest American territory, these criminal organizations then funnel them right into our island, and we are now experiencing boat landings nearly every 2 to 4 days.

Upon arrival, these people who are being sent to Guam by criminal organizations are eventually apprehended by primarily local officials, turned over to Federal officials, and they are expected to apply for some form of asylum.

Mr. Speaker, what we see here is a clear exploitation of INA, the Immigration and Naturalization Act, as it is applicable to Guam, by Chinese crime syndicates. Chinese nationals who succeed in finding employment inside the United States, who have come to this dream, are actually turned into indentured servants with no legal papers and immense debts to pay. They continue to pay off these Chinese crime syndicates, even after they are in the United States, for well over a decade. This is a criminal activity which must end.

Now we have this humanitarian crisis on the high seas. It takes approximately anywhere from 10 to 15 days on these decrepit vessels, which are expected to simply take a one-way trip from Fukien Province in China.

This has created a number of crises on Guam. It has created a resource crisis. The INS does not have any funds to attend to these, so it has been left up to the government of Guam to feed them, house them, and clothe them. Now over 400 Chinese nationals are currently being housed in a Guam facility with a capacity of 150 at a cost of approximately $97 per immigrant per day.

The government of Guam estimates that the total expense for apprehending, staffing, housing, and detaining these illegal immigrants from the People's Republic has cost the people of Guam nearly $2.5 million. This is a Federal responsibility. No State in the Union would put up with this.

There is also a potential environmental crisis as these boats deliberately run aground on our reefs. There is also a potential health crisis. In one shipment of these illegal immigrants, well over half of the illegal immigrants were tested positive for TB.

Over the past few days, I have had several meetings, including officials at the Department of Justice, officials in the National Security Council and the White House, and I am happy to report that they have taken some action on this. But the Federal Government needs to take clearly more responsibility over this.

It is very interesting to note that, as widely reported in the news about 2½ weeks ago, Guam was considered a possible destination point for Kosovar refugees. It was estimated that Guam may have to house as many as 5,000 to 10,000 Kosovar refugees.

Everyone willingly acknowledged that the Federal Government would be responsible for such an eventuality on Guam. Yet, in this particular instance where we are talking about 400 illegal

Chinese immigrants for a Federal responsibility, the Federal Government today has not paid the government of Guam and is now only beginning to become engaged in the process.

I urge my colleagues to take a good look at this issue. I have introduced H.R. 945 to address the issue of the applicability of the INA to Guam.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2:00 p.m.

Accordingly (at 1 o'clock and 10 minutes p.m.), the House stood in recess until 2:00 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Here in the peaceful beauty of this place, we remember those who at this moment experience the stress of conflict and know not the peace that we enjoy. In our prayer we bring to mind the men and women who face risk this day in a far off land.

We remember all who suffer and know the travail of hunger and violence. We commend those who care for the refugee and the homeless, those who give food to the hungry and shelter to those in great need.

We earnestly pray for resolution to the conflict, a resolution, as the Scripture says, where justice will flow down as waters and righteousness like an ever-flowing stream.

You have promised in Your word, O gracious God, that Your spirit abides with each one, and we pray this day that Your spirit will abide with us and with every person, whatever their place or special need. In Your name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. RODRIGUEZ 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.

DISPENSING WITH CALL OF PRIVATE CALENDAR ON TODAY

Mr. GIBBONS. Mr. Speaker, I ask unanimous concept to dispense with the call of the Private Calendar today.

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

There was no objection.

CONFERENCE REPORT ON H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Mr. GOODLING submitted the following conference report and statement on the bill (H.R. 800) to provide for education flexibility partnerships:

CONFERENCE REPORT (H. REPT. 106–100)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 800), to provide for education flexibility partnerships, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Education Flexibility Partnership Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) States differ substantially in demographics, in school governance, and in school finance and funding. The administrative and funding mechanisms that help schools in 1 State improve may not prove successful in other States.

(2) Although the Elementary and Secondary Education Act of 1965 and other Federal education statutes afford flexibility to State educational agencies and local educational agencies in implementing Federal programs, certain requirements of Federal education statutes or regulations may impede local efforts to reform and improve education.

(3) By granting waivers of certain statutory and regulatory requirements, the Federal Government can remove impediments for local educational agencies in implementing educational reforms and raising the achievement levels of all children.

(4) State educational agencies are closer to local school systems, implement statewide educational reforms with both Federal and State funds, and are responsible for maintaining accountability for local activities consistent with State standards and assessment systems. Therefore, State educational agencies are often in the best position to align waivers of Federal and State requirements with State and local initiatives.

(5) The Education Flexibility Partnership Demonstration Act allows State educational agencies the flexibility to waive certain Federal requirements, along with related State requirements, but allows only 12 States to qualify for such waivers.

(6) Expansion of waiver authority will allow for the waiver of statutory and regulatory requirements that impede implementation of State and local educational improvement plans, or that unnecessarily burden program administration, while maintaining the intent and purposes of affected programs, such as the important focus on improving mathematics and science performance under title II of the Elementary and Secondary Education Act of 1965 (Dwight D. Eisenhower Professional Development Program), and maintaining such fundamental requirements as those relating to civil rights, educational equity, and accountability.

(7) To achieve the State goals for the education of children in the State, the focus must be on results in raising the achievement of all students, not process.

SEC. 3. DEFINITIONS.

In this Act:

(1) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY; OUTLYING AREA.—The terms ''local educational agency'', ''State educational agency'', and ''outlying area'' have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965.

(2) ELIGIBLE SCHOOL ATTENDANCE AREA; SCHOOL ATTENDANCE AREA.—The terms ''eligible school attendance area'' and ''school attendance area'' have the meanings given the terms in section 1113(a)(2) of the Elementary and Secondary Education Act of 1965.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(4) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.

SEC. 4. EDUCATION FLEXIBILITY PARTNERSHIP.

(a) EDUCATIONAL FLEXIBILITY PROGRAM.—

(1) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—The Secretary may carry out an educational flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to 1 or more programs described in subsection (b), other than requirements described in subsection (c), for any local educational agency or school within the State.

(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an ''Ed-Flex Partnership State''.

(2) ELIGIBLE STATE.—For the purpose of this section the term ''eligible State'' means a State that—

(A) has—

(i) developed and implemented the challenging State content standards, challenging State student performance standards, and aligned assessments described in section 1111(b) of the Elementary and Secondary Education Act of 1965, and for which local educational agencies in the State are producing the individual school performance profiles required by section 1116(a)(3) of such Act; or

(ii)(I) developed and implemented the content standards described in clause (i);

(II) developed and implemented interim assessments; and

(III) made substantial progress (as determined by the Secretary) toward developing and implementing the performance standards and final aligned assessments described in clause (i), and toward having local educational agencies in the State produce the profiles described in clause (i);

(B) holds local educational agencies and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4) and for engaging in technical assistance and corrective actions consistent with section 1116 of the Elementary and Secondary Education Act of 1965, for the local educational agencies and schools that do not make adequate yearly progress as described in section 1111(b)(2) of such Act; and

(C) waives State statutory or regulatory requirements relating to education while holding local educational agencies or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

(3) STATE APPLICATION.—

(A) IN GENERAL.—Each State educational agency desiring to participate in the educational flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies or schools requesting waivers of—

(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

(II) State statutory or regulatory requirements relating to education;

(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

(iii) a description of clear educational objectives the State intends to meet under the educational flexibility plan;

(iv) a description of how the educational flexibility plan is consistent with and will assist in implementing the State comprehensive reform plan or, if a State does not have a comprehensive reform plan, a description of how the educational flexibility plan is coordinated with activities described in section 1111(b) of the Elementary and Secondary Education Act of 1965;

(v) a description of how the State educational agency will evaluate, (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965), the performance of students in the schools and local educational agencies affected by the waivers; and

(vi) a description of how the State educational agency will meet the requirements of paragraph (8).

(B) APPROVAL AND CONSIDERATIONS.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies and schools within the State in carrying out comprehensive educational reform, after considering—

(i) the eligibility of the State as described in paragraph (2);

(ii) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

(iii) the ability of the educational flexibility plan to ensure accountability for the activities and goals described in such plan;

(iv) the degree to which the State's objectives described in subparagraph (A)(iii)—

(I) are clear and have the ability to be assessed; and

(II) take into account the performance of local educational agencies or schools, and students, particularly those affected by waivers;

(v) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

(vi) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

(4) LOCAL APPLICATION.—

(A) IN GENERAL.—Each local educational agency or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

(i) indicate each Federal program affected and each statutory or regulatory requirement that will be waived;

(ii) describe the purposes and overall expected results of waiving each such requirement;

(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency or school affected by the proposed waiver, and for the students served by the local educational agency or school who are affected by the waiver;

(iv) explain why the waiver will assist the local educational agency or school in reaching such goals; and

(v) in the case of an application from a local educational agency, describe how the local educational agency will meet the requirements of paragraph (8).

(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (3)(A).

(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—

(i) the local educational agency or school requesting such waiver has developed a local reform plan that is applicable to such agency or school, respectively;

(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency or school in reaching its educational goals, particularly goals with respect to school and student performance; and

(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program for which a waiver is granted will continue to be met.

(D) TERMINATION.—The State educational agency shall annually review the performance of any local educational agency or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate any waiver granted to the local educational agency or school if the State educational agency determines, after notice and an opportunity for a hearing, that the local educational agency or school's performance with respect to meeting the accountability requirement described in paragraph (2)(C) and the goals described in paragraph (4)(A)(iii)—

(i) has been inadequate to justify continuation of such waiver; or

(ii) has decreased for 2 consecutive years, unless the State educational agency determines that the decrease in performance was justified due to exceptional or uncontrollable circumstances.

(5) OVERSIGHT AND REPORTING.—

(A) OVERSIGHT.—Each State educational agency participating in the educational flexibility program under this section shall annually monitor the activities of local educational agencies and schools receiving waivers under this section.

(B) STATE REPORTS.—

(i) ANNUAL REPORTS.—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and the impact of the waivers on school and student performance.

(ii) PERFORMANCE DATA.—Not later than 2 years after the date a State is designated an Ed-Flex Partnership State, each such State shall include, as part of the State's annual report submitted under clause (i), data demonstrating the degree to which progress has been made toward meeting the State's educational objectives. The data, when applicable, shall include—

(I) information on the total number of waivers granted for Federal and State statutory and regulatory requirements under this section, including the number of waivers granted for each type of waiver;

(II) information describing the effect of the waivers on the implementation of State and local educational reforms pertaining to school and student performance;

(III) information describing the relationship of the waivers to the performance of schools and students affected by the waivers; and

(IV) an assurance from State program managers that the data reported under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.

(C) SECRETARY'S REPORTS.—The Secretary, not later than 2 years after the date of enactment of this Act and annually thereafter, shall—

(i) make each State report submitted under subparagraph (B) available to Congress and the public; and

(ii) submit to Congress a report that summarizes the State reports and describes the effects that the educational flexibility program under this section had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.

(6) DURATION OF FEDERAL WAIVERS.—

(A) IN GENERAL.—The Secretary shall not approve the application of a State educational agency under paragraph (3) for a period exceeding 5 years, except that the Secretary may extend such period if the Secretary determines that such agency's authority to grant waivers—

(i) has been effective in enabling such State or affected local educational agencies or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(C); and

(ii) has improved student performance.

(B) PERFORMANCE REVIEW.—Three years after the date a State is designated an Ed-Flex Partnership State, the Secretary shall review the performance of the State educational agency in granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and shall terminate such agency's authority to grant such waivers if the Secretary determines, after notice and an opportunity for a hearing, that such agency's performance (including performance with respect to meeting the objectives described in paragraph (3)(A)(iii)) has been inadequate to justify continuation of such authority.

(C) RENEWAL.—In deciding whether to extend a request for a State educational agency's authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if the State educational agency—

(i) has made progress toward achieving the objectives described in the application submitted pursuant to paragraph (3)(A)(iii); and

(ii) demonstrates in the request that local educational agencies or schools affected by the waiver authority or waivers have made progress toward achieving the desired results described in the application submitted pursuant to paragraph (4)(A)(iii).

(7) AUTHORITY TO ISSUE WAIVERS.—Notwithstanding any other provision of law, the Secretary is authorized to carry out the educational flexibility program under this section for each of the fiscal years 1999 through 2004.

(8) PUBLIC NOTICE AND COMMENT.—Each State educational agency seeking waiver authority under this section and each local educational agency seeking a waiver under this section—

(A) shall provide the public with adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency's application for the proposed waiver authority or waiver in a widely read or distributed medium, including a description of any improved student performance that is expected to result from the waiver authority or waiver;

(B) shall provide the opportunity for parents, educators, and all other interested members of the community to comment regarding the proposed waiver authority or waiver;

(C) shall provide the opportunity described in subparagraph (B) in accordance with any applicable State law specifying how the comments may be received, and how the comments may be reviewed by any member of the public; and

(D) shall submit the comments received with the agency's application to the Secretary or the State educational agency, as appropriate.

(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements for programs carried out under the following provisions:

(1) Title I of the Elementary and Secondary Education Act of 1965 (other than subsections (a) and (c) of section 1116 of such Act).

(2) Part B of title II of the Elementary and Secondary Education Act of 1965.

(3) Subpart 2 of part A of title III of the Elementary and Secondary Education Act of 1965 (other than section 3136 of such Act).

(4) Title IV of the Elementary and Secondary Education Act of 1965.

(5) Title VI of the Elementary and Secondary Education Act of 1965.

(6) Part C of title VII of the Elementary and Secondary Education Act of 1965.

(7) The Carl D. Perkins Vocational and Technical Education Act of 1998.

(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive under subsection (a)(1)(A) any statutory or regulatory requirement—

(1) relating to—

(A) maintenance of effort;

(B) comparability of services;

(C) equitable participation of students and professional staff in private schools;

(D) parental participation and involvement;

(E) distribution of funds to States or to local educational agencies;

(F) serving eligible school attendance areas in rank order under section 1113(a)(3) of the Elementary and Secondary Education Act of 1965;

(G) the selection of a school attendance area or school under subsections (a) and (b) of section 1113 of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I of such Act if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the local educational agency that meets the requirements of such subsections (a) and (b);

(H) use of Federal funds to supplement, not supplant, non-Federal funds; and

(I) applicable civil rights requirements; and

(2) unless the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met to the satisfaction of the Secretary.

(d) TREATMENT OF EXISTING ED-FLEX PARTNERSHIP STATES.—

(1) IN GENERAL.—Except as provided in paragraphs (3) and (4), this section shall not apply to a State educational agency that has been granted waiver authority under the provisions of law described in paragraph (2) for the duration of the waiver authority.

(2) APPLICABLE PROVISIONS.—The provisions of law referred to in paragraph (1) are as follows:

(A) Section 311(e) of the Goals 2000: Educate America Act.

(B) The proviso referring to such section 311(e) under the heading ''EDUCATION REFORM'' in the Department of Education Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–229).

(3) SPECIAL RULE.—If a State educational agency granted waiver authority pursuant to the provisions of law described in subparagraph (A) or (B) of paragraph (2) applies to the Secretary for waiver authority under this section—

(A) the Secretary shall review the progress of the State educational agency in achieving the objectives set forth in the application submitted pursuant to section 311(e) of the Goals 2000: Educate America Act; and

(B) the Secretary shall administer the waiver authority granted under this section in accordance with the requirements of this section.

(4) TECHNOLOGY.—In the case of a State educational agency granted waiver authority under the provisions of law described in subparagraph (A) or (B) of paragraph (2), the Secretary shall permit a State educational agency to expand, on or after the date of enactment of this Act, the waiver authority to include programs under subpart 2 of part A of title III of the Elementary and Secondary Education Act of 1965 (other than section 3136 of such Act).

(e) PUBLICATION.—A notice of the Secretary's decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties (including educators, parents, students, and advocacy and civil rights organizations), and the public.

SEC. 5. FLEXIBILITY TO DESIGN CLASS SIZE REDUCTION PROGRAMS.

Section 307 of the Department of Education Appropriations Act, 1999, is amended—

(1) in subsection (b)(2), by inserting ''(except as provided in subsection (c)(2)(D))'' before the period; and

(2) in subsection (c)(2), by adding at the end the following:

''(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium.''.

SEC. 6. ALTERNATIVE EDUCATIONAL SETTING.

(a) IN GENERAL.—Section 615(k)(1)(A)(ii)(I) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(k)(1)(A)(ii)(I)) is amended to read as follows:

''(I) the child carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or a local educational agency; or''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to conduct occurring not earlier than the date of enactment of this Act.

And the Senate agree to the same.

BILL GOODLING,
PETER HOEKSTRA,
MICHAEL N. CASTLE,
JAMES GREENWOOD,
MARK SOUDER,
BOB SCHAFFER,
Managers on the Part of the House.

JIM JEFFORDS,
JUDD GREGG,
BILL FRIST,
MIKE DEWINE,
MICHAEL B. ENZI,
TIM HUTCHINSON,
SUSAN COLLINS,
SAM BROWNBACK,
CHUCK HAGEL,
JEFF SESSIONS,
TED KENNEDY,
CHRIS DODD,
TOM HARKIN,
BARBARA A. MIKULSKI,
JEFF BINGAMAN,
PATTY MURRAY,
JACK REED,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 800) to provide for education flexibility partnerships, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

SHORT TITLE

1. Both the House bill and the Senate amendment are identical in this section.

FINDINGS

2. The findings are identical in both the House bill and the Senate amendment except for finding (6). See note 3.

Descriptive note.

3. The House bill, but not the Senate amendment, mentions the important focus on math and science in the Eisenhower Professional Development Program as an example of the intent and purposes of programs to be maintained under Ed-Flex.

The Senate recedes.

DEFINITIONS

4. The House bill, but not the Senate amendment, contains two additional definitions. Those are: ''attendance area'' because this term is mentioned in (c)(F), which defines an unauthorized Title I school eligibility waiver and ''Ed-Flex Partnership State'' in order to make clear that the term refers to an eligible state. The Senate amendment, but not the House bill includes a definition of ''outlying areas''. The House bill refers to this definition under ESEA.

The Senate recedes on attendance area. The House recedes on Ed-Flex Partnership State and the Senate recedes with an amendment to include cross-reference to the definition of ''outlying area.''

EDUCATION FLEXIBILITY PARTNERSHIP PROGRAM

5. The Senate amendment, but not the House bill, in Part (a)(1)(A) does not permit the State to waive requirements on itself.

The House recedes.

ELIGIBLE STATE

6. The House bill requires a state to have implemented more of their Title I plan than the Senate amendment. See Notes 7 and 8. The House bill and the Senate amendment differ in how they measure the performance of local applicants. See Note 9.

7. The Senate amendment but not the House bill, includes the phrase, ''including the requirements of that section relating to disaggregation of data.'' The House bill refers to disaggregation of data by reference.

The Senate recedes. Provisions regarding disaggregation of data are included in the portion of section 1111(b) of the Elementary and Secondary Education Act which deals with assessments. These provisions were highlighted in the Senate bill, but specific reference to them was not included in the conference agreement. Conferees were concerned that a specific reference to only one of the requirements of section 1111(b) could create the inaccurate impression that States wanting to participate in the educational flexibility programs would be held to requirements beyond those currently in the law.

8. The House bill requires content standards and interim assessments to be in place, in addition to having made substantial progress towards developing and implementing performance standards and final aligned assessments. The Senate amendment requires substantial progress for content and performance standards as well as final aligned assessments.

The Senate recedes. The Conferees would like to clarify congressional intent with respect to State compliance with the Elementary and Secondary Education Act (ESEA) Title I, Part A, standards and assessment requirements (Sec. 1111(b)) as an eligibility criterion both for Ed-Flex authority under H.R. 800 and for participation in ESEA, Title 1, Part A. Under both Ed-Flex and Title 1, Part A, uniform State standards and uniform State assessments are not required as a condition for either being granted Ed-Flex authority or continuing to receive financial assistance under Title 1, Part A. However, if a State does not have uniform State standards and assessments, the State must have in effect, or be making substantial progress toward having in effect, local standards and assessments approved by the State in order for the State to be granted Ed-Flex authority. The Conferees expect the Department of Education to maintain its current interpretation of the provisions of ESEA, Title 1, Section 1111(b) as published in the policy guidance in 1997. This guidance reflects the understanding of the Conferees that States, such as Nebraska and Iowa, can comply with section 1111(b) of Title 1, Part A if the State has implemented uniform statewide standards and assessments, has a statewide system with local standards and assessments approved by the State; or has local standards or assessments approved by the State on the basis of models or criteria to ensure challenging standards and high quality, aligned assessments.

9. The House bill requires states to hold LEAs and schools accountable for meeting goals listed in waiver applications to be eligible. The Senate amendment has an additional requirement that States are implementing corrective action measures under Title I for schools that fail to make adequate yearly progress.

The Senate recedes with an amendment to insert the words ''and for engaging in the technical assistance and corrective actions consistent with section 1116 of the Elementary and Secondary Education Act of 1965, for the local educational agencies and schools that do not make adequate yearly progress as described in section 1111(b) of that Act'' after ''paragraph (4)''.

STATE APPLICATION

10. The House bill and Senate amendment differ in how States are to measure and set objectives. See Note 11–14.

11. The House bill, but not the Senate amendment, requires states to describe specific objectives in their application.

The Senate recedes with an amendment to delete ''specific'' and insert ''clear.''

12. The Senate amendment, but not the House bill requires state applications to reference State comprehensive plans or Section 1111(b) of ESEA (Title I standards and assessments).

The House recedes.

13. The House bill, but not the Senate amendment, requires local *progress* to be measured by using the local applicants' objectives, as defined by the section of the bill (a)(4)(A)(iii) requiring local applicants to set specific and measurable goals for schools and groups of students affected by waivers. The Senate amendment, but not the House bill, requires States to evaluate the *performance* of local applicants and students affected by waivers in general, not defined by local applications.

The House recedes.

14. Both the House bill and the Senate amendment require States to describe how they will notify the public of waivers granted. The House bill requires States to provide assurances that it will provide notice with a minimum requirement of 30 days or in accordance with state law. The Senate amendment requires ''adequate and efficient'' notice and opportunity for comment. See note 18 for local comment and notice.

The House recedes.

APPROVAL AND CONSIDERATIONS

15. The Senate amendment, but not the House bill, explicitly requires the Secretary to consider a state's eligibility for Ed-Flex in approving their application. The House bill, but not the Senate amendment requires the Secretary to evaluate their objectives according to their specificity and their connection to students, schools and districts.

The Senate recedes with an amendment to add (B)(i) from the Senate bill and to revise (B)(iii) of the House bill to read as follows: ''(iii) the degree to which the State's objectives described in subparagraph (A)(iii)—

''(I) are clear and have the ability to be assessed; and

''(II) take into account the performance of local educational agencies or schools and students, particularly those affected by waivers.''

LOCAL APPLICATION

16. Both the House bill and the Senate amendment are identical with the exception of (iii) and (v). See notes 17 and 18.

17. The House bill, but not the Senate amendment, requires goals for each *group of students* affected by a proposed waiver, in addition to the LEA or school.

The Senate recedes with an amendment to revise ''(iii)'' to read as follows:

(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency or school affected by the proposed waiver and their students;

18. Local public notice and comment: See Note 14.

The House recedes.

EVALUATION OF APPLICATIONS

19. Both the House bill and the Senate amendment are identical.

20. The Senate amendment stipulates that the SEA should consider how a waiver will help improve school and student performance when evaluating applications. The House bill requires the SEA to be satisfied that the LEA or school will continue to meet the underlying purposes of the statues included in this legislation.

The House and Senate recede taking both provisions.

21. The House bill requires a statistically significant decrease for two consecutive years until waivers can be terminated. The Senate amendment requires termination if performance has been ''inadequate'' to justify continuing the waiver.

The House recedes with an amendment to have the title read ''Termination'' and to insert at the end of (5)(B) of the Senate bill the following: ''or has decreased for two consecutive years (unless the State educational agency determines that the decrease in performance was justified due to exceptional or uncontrollable circumstances).''

OVERSIGHT AND REPORTING

22. The House bill entitles this section OVERSIGHT AND REPORTING. The Senate amendment entitles this section ''MONITORING AND PERFORMANCE REVIEW.''

The Senate recedes.

23. The House bill, but not the Senate amendment, stipulates that monitoring ''shall include a review of relevant audit, technical assistance, evaluation, and performance reports.'' Both the House bill and the Senate amendment require states to submit an annual report, but the House bill states this in (ii) and the Senate amendment states this in (i).

The Senate recedes with an amendment to strike ''Such monitoring shall include a review of relevant audit, technical assistance, evaluation, and performance reports.'' While not listing in statute the specific reports to be reviewed, the conferees anticipate that State educational agencies will utilize these resources in their monitoring of local educational agencies and schools which have received waivers.

24. The House bill and the Senate amendment require states to submit performance data. However, the House bill, but not the Senate amendment, requires States to submit performance data after two years of being an Ed-Flex state.

The Senate recedes.

PROGRESS REPORTS

25. The House bill requires the Secretary to report to Congress on an annual basis the impact of Ed-Flex on performance objectives and to make state reports available to Congress. The Senate amendment requires a report to Congress after the first year and biennially thereafter. In general, the Senate amendment requires the Secretary to report what the House bill prescribes for the states. The Senate amendment in (1) requires the Secretary to describe the federal statutes and regulations for which they have received waiver authority. The House bill but not the Senate amendment specifies the type of information to be reported on waivers granted. The Senate amendment only requires information on waivers of state regulations and statutes. The House bill, but not the Senate amendment requires specific data on types of waivers granted and requires a report on the relationship between the waivers and meeting objectives. The Senate amendment in 3 and 4 requires that they describe ''the effect'' on implementation of reforms and student performance. (cf. Note 38).

The Senate recedes with an amendment to: (a) change (B)(i)(II) to read as follows—''information describing the effect of waivers granted on the implementation of State and local educational reforms pertaining to school and student performance;'' (b) add a new (B)(i)(III) to read as follows—''information describing the relationship of waivers granted to the performance of schools and students affected by the waivers.'' (c) add a new (B)(i)(IV) ''an assurance from State program managers that the data reported under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.'' (d) change (B)(ii)(II) to read as follows—''submit to Congress a report that summarizes the State reports ensuring that such reports address the effect that the educational flexibility program under this section has had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.''

DURATION OF FEDERAL WAIVERS

26. The Senate amendment, but not the House bill, requires that states ''continue to meet the accountability requirements described in subsection (a)(2)(B), and has improved student performance'' in order for authority to be extended.

The House recedes.

PERFORMANCE REVIEW

27. The House bill requires that the Secretary review the performance of States after three years of being an Ed-Flex State. The Senate amendment requires the Secretary to review the performance of States ''periodically.''

The House recedes with an amendment specifying that the review be conducted three years after designation and to insert '', including meeting the objectives described in paragraph (3)(A)(iii),'' after ''performance''.

AUTHORITY TO ISSUE WAIVERS

28. The House bill authorizes this program beginning in FY 1999. The Senate amendment begins this authorization in FY 2000.

The Senate recedes.

PUBLIC NOTICE AND COMMENT

29. See Notes 14 and 18.

The House recedes with an amendment to insert after ''waiver'' in line 6 '', including a description of any improved performance of students that is expected to result from the waiver authority or waiver,'' and to insert after ''received'' on line 11 ''and made available for review by any member of the public,''.

INCLUDED PROGRAMS

30. The House bill and the Senate amendment are identical except that subsection 4(b)(1) of the Senate amendment excludes the Local Review and School Improvement sections of Title I.

The House recedes. It is the intent of the conferees that, if an LEA has higher standards than the State standard, then locally approved standards may be used for purposes of determining schools in need of improvement or need for corrective action.

WAIVERS NOT AUTHORIZED

31. The Senate amendment specifies that the Secretary and the State may not waive these provisions. The House bill only addresses the Secretary.

The House recedes.

TITLE I WAIVERS

32. The House bill prohibits Title I school eligibility waivers unless they are marginally below the necessary poverty level. The Senate amendment prohibits waivers of Title I rank-order requirements for schools with more than 75% poverty.

The House recedes on Senate language and the Senate recedes on House language with an amendment changing the low-income percentage from within 5 percentage points to 10 percentage points, and clarifying the applicable subsections of section 1113 of Title I, Part A of the Elementary and Secondary Education Act.

TREATMENT OF EXISTING ED-FLEX STATES

33. The House bill protects the authority of current Ed-Flex States by stating that this Act does not apply to them until they apply to renew their authority. The Senate amendment permanently exempts existing Ed-Flex States from being affected by this statute.

The Senate recedes with an amendment which makes clear that the performance of the current 12 Ed-Flex States will be judged, when they re-apply for Ed-Flex status at the end of their current 5 year period, on the basis of section 311(e) of the Goals 2000: Educate America Act. The application itself, must conform to the new requirements of the Education Flexibility Partnership Act. The amendment also provides that, upon enactment of this Act, the 12 existing Ed-Flex States may exercise Ed-Flex waiver authority with respect to the technology programs under subpart 2 of part A of Title III of the Elementary and Secondary Education Act (other than section 3136 of such Act).

RENEWAL

34. The House bill stipulates when renewing Ed-Flex Authority, the Secretary must determine whether SEAs have made measureable progress in accordance with their measurable objectives, as well as whether SEAs demonstrate that LEAs or schools have made measurable progress. The House bill also exempts current Ed-Flex States (see Note 33). The Senate amendment requires the Secretary to review generally the progress of those affected by Ed-Flex authority or waivers towards meeting goals set in local applications.

The Senate recedes with an amendment striking the word ''measurable'' in (e)(1)(A) and (B) and changing the word ''Accountability'' in the heading to ''Renewal''.

35. The House bill, but not the Senate amendment, clarifies that when current Ed-Flex States apply to renew their authority, their progress should be measured in accordance with the terms under which they were granted their authority. However, when their authority expires and they receive renewed authority this law will apply to them.

The Senate recedes. The conferees have addressed renewal for the 12 Ed-Flex States in note 33.

PUBLICATION

36. The Senate amendment, but not the House bill, requires the Secretary to include the rationale for granting a State Ed-Flex authority when publishing notice in the Federal Register.

The House recedes.

EFFECTIVE DATE

37. The House bill, but not the Senate amendment, sunsets this law when ESEA reauthorization is enacted.

The House recedes. The Conferees believe that when the Congress considers the Elementary and Secondary Education Act it will have to take into consideration the changes made to this Act and make whatever changes and adjustments are required to ensure that both laws operate in a coordinated fashion so as to provide as much flexibility as possible to States and local educational agencies.

FLEXIBILITY TO DESIGN CLASS SIZE REDUCTION

38. The Senate amendment, but not the House bill, includes findings stating the impact of fully funding IDEA and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes with an amendment providing that, if a local educational agency has a class size in grades 1 through 3 of 18 or fewer children, the local educational agency may use the funds made available for class-size reduction under the Department of Education Appropriations Act for fiscal year 1999 for professional development without entering into a consortia.

Currently, a local educational agency that is eligible for amounts less than the starting salary for a teacher must form a consortium in order to receive any class-size reduction funds. Under the conference agreement, such an agency would still have to form a consortium if it does not meet the criteria of having a class size in grades 1 through 3 of 18 or fewer children or if it plans to use the funds to reduce class size. Such an agency would not have to form a consortium if it has a class size in grades 1 through 3 of 18 or fewer children and plans to use the funds for professional development.

In addition, the conferees note that—under current law—any local educational agency that has a class size of 18 or fewer children may use class-size-reduction funds made available to take further class size reductions in grades 1 through 3, to reduce class size in kindergarten, or other grades, or to carry out activities to improve teacher quality—including professional development.

FLEXIBILITY TO DESIGN DROPOUT PREVENTION PROGRAMS

39. The Senate amendment, but not the House bill includes findings stating that fully funding IDEA would free up funds at the local level to develop dropout programs to best address their needs and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes.

AUTHORIZATION OF APPROPRIATIONS

40. The Senate amendment, but not the House bill authorizes $150 million in additional funds for IDEA.

The Senate recedes.

FLEXIBILITY TO DEVELOP AFTER SCHOOL PROGRAMS

41. The Senate amendment, but not the House bill includes findings stating that fully funding IDEA would free up funds at the local level to develop after-school programs to best address their needs and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes.

ADDITIONAL AUTHORIZATION OF APPROPRIATIONS

42. The Senate amendment, but not the House bill, authorizes $600 million in additional appropriations for IDEA part B.

The Senate recedes.

FLEXIBILITY TO DEVELOP PROGRAMS TO REDUCE SOCIAL PROMOTION AND ESTABLISH SCHOOL ACCOUNTABILITY PROCEDURES

43. The Senate amendment, but not the House bill includes findings stating that fully funding IDEA would free up funds at the local level to develop programs to reduce social promotion, establish school accountability programs or any other programs to best address their needs and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes.

ALTERNATIVE EDUCATIONAL SETTING

44. The Senate amendment, but not the House bill, includes an amendment to IDEA that subjects a child with a disability to the discipline provisions if they *possess* a weapon at school, in addition to *carrying* a weapon to school (current law) and applies this new provision to conduct occurring not earlier than the date of enactment of this Act.

The House recedes.

FURTHER AUTHORIZATION OF APPROPRIATIONS

45. The Senate amendment, but not the House bill, authorizes $500 million in additional appropriations for IDEA part B.

The Senate recedes.

BILL GOODLING,
PETER HOEKSTRA,
MICHAEL N. CASTLE,
JAMES GREENWOOD,
MARK SOUDER,
BOB SCHAFFER,
Managers on the Part of the House.

JIM JEFFORDS,
JUDD GREGG,
BILL FRIST,
MIKE DEWINE,
MICHAEL B. ENZI,
TIM HUTCHINSON,
SUSAN COLLINS,
SAM BROWNBACK,
CHUCK HAGEL,
JEFF SESSIONS,
TED KENNEDY,
CHRIS DODD,
TOM HARKIN,
BARBARA A. MIKULSKI,
JEFF BINGAMAN,
PATTY MURRAY,
JACK REED,
Managers on the Part of the Senate.

AMERICA'S TRADE DEFICIT

(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, last month's trade deficit hit another record, $20 billion. One month, $20 billion. If it keeps up, $240 billion a year, a quarter of a trillion dollars.

Japan and China are now taking $10 billion a month out of our economy. Beam me up. It is not going to stop because of our current Tax Code that rewards imports. I say it is time to throw out income taxes, throw out the IRS, and pass the national retail sales tax program. It will reward our exports.

Let us tell it like it is. Our Tax Code stinks so bad, if we sprayed it with Chanel No. 5, it would still smell like the Environmental Protection Agency.

I yield back 400,000 jobs lost last month due to our trade deficit.

LIFE 101 ORGAN DONATION PROGRAM

(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, every 18 minutes a new name is added to the list of those who wait for an organ transplant. With the current supply of donors, unfortunately, someone dies every 2 hours and 24 minutes because an organ was not available. These are the grim statistics.

The University of Miami Organ Procurement Organization and the Transplant Foundation of South Florida, however, are doing something to improve these dismal numbers. They have undertaken a donor education program designed to target young audiences, helping them to understand at an early age the need for organ donations and the benefits of transplants.

This program, entitled ''Life 101,'' has been presented at 58 high schools, reaching over 50,000 local area students in Miami-Dade and Broward County in South Florida.

This Friday, ''Life 101'' will be unveiling its new web site dedicated to providing an exciting and informative forum for students to learn more about organ donations. I encourage America's youth to visit their web site beginning Friday and learn how they can make the difference in the lives of others.

ORANGE COUNTY ONION FARMERS AND DISASTER ASSISTANCE

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

Mr. GILMAN. Mr. Speaker, in May of last year, New York's Hudson Valley farmers were hard hit by a severe hailstorm that devastated their crops. Particularly impacted were our onion growers.

Already facing difficulties due to a prior storm, our Orange County onion growers found themselves confronted by a new hardship. Their hardship was compounded by a failed Federal Government crop insurance program.

Most of our farmers who had no significant yields as a result of this storm were forced to zero out their crops. And when they applied for crop insurance, they found a cumbersome, poorly managed system that provided absolutely no relief.

Following last year's disaster, Congress passed the Omnibus Appropriations Act of 1999, appropriating $5.9 billion for emergency assistance. To date, our farmers have not received one penny of these funds, while payments were made shortly after its enactment to dairy, to cotton, to wheat and hog farmers.

The Agriculture Department has not responded to our farmers' needs. Following this storm, starting in February, Secretary Glickman instituted a sign-up period for disaster funding, stating that the delay was due to working out a proper formula.

Mr. Speaker, I urge Secretary Glickman to release these funds immediately to prevent any further delay so that our growers may be able to continue their farming.

THANKS TO OUR SERVICE MEN AND WOMEN

(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, just 3 days ago, I was in the war-torn region of Kosovo along with many of our colleagues from the House and Senate.

And, as a veteran of two wars, I know the great sacrifice that our U.S. military men and women are making for our country and for world peace. And I am thankful that I was able to travel to the Kosovo region to personally thank these brave soldiers, sailors, and airmen for their service to our great Nation.

I want to take this opportunity to reinforce my commitment to them in what may very well be the most trying time in their life. I thank them and America thanks them for having the courage to carry out this selfless duty to our country.

From both the Vietnam and Persian Gulf Wars, I am personally and gravely aware of the enormous challenges that these brave men and women face. Having been deployed far away from my family for countless weeks and months, I can relate to the myriad of emotions that these troops and their families must be experiencing during this very traumatic time in the world.

Our prayers and our full support are with them. May God speed and bring each of them home safely and as soon as possible.

STATE OF MONTANA WANTS TO BE PART OF ECONOMIC PROSPERITY

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

Mr. HILL of Montana. Mr. Speaker, every day it seems that we get some good economic news: Unemployment is down, incomes are up, the stock market at a new high. But in parts of America that are not doing so well, my colleague from North Dakota often comes to the floor and talks about the increase, the record number of farm bankruptcies in his home State.

My home State of Montana now ranks last in the Nation with average income. Why has rural America been left out of this economic prosperity? Well, it is because our economy relies on agriculture and timber and mining and oil and gas, commodities, and it is because this administration has failed to pursue fair trade policies.

This administration has pursued extreme environmental policies that lock up our public land and our natural resources, and this administration has neglected the importance of international markets.

Mr. Speaker, we do not want to be left out. We want to be part of this prosperous economy, but we need common sense. We need a common sense agriculture policy. We need a common sense environmental policy. We need a common sense trade policy.

Mr. Speaker, bring us into this new economic prosperity.

DOLLARS TO THE CLASSROOM

(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, today Senator TIM HUTCHINSON and I introduced the Dollars to the Classroom Act, to benefit schoolchildren and teachers all across this country in our public schools by directing that Federal funding for elementary and secondary education goes directly to classrooms and to teachers where the learning process actually takes place, by restricting how much money can be spent on bureaucracy.

By requiring that 95 cents of every Federal dollar gets into the classroom, the children and teachers of this Nation will see an additional $870 million out of existing appropriations. That is $10,000 per school, translating into $450 for every single classroom in America.

I have with me a check that the Senate and House Members signed earlier today in the amount of $870 million. We presented this directly to the children.

My colleagues have an opportunity to help bring needed change. Join me and the 127 cosponsors in sponsoring and introducing the Dollars to the Classroom Act today.

TOM LEYDEN, TEXAS PRINCIPAL OF THE YEAR

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to bring special

attention to an outstanding individual who is making a real difference in the lives of children in my district. He is Principal Tom Leyden of the Plano Independent School District in Plano, Texas.

Tom Leyden was recently named the Texas principal of the year by the Texas Association of Secondary School Principals. This honor qualifies Mr. Leyden for eligibility as the National Principal of the Year, which will be announced in October.

Tom Leyden is a shining reminder of what a difference our local officials can make in the lives of our children. I am proud to represent Tom Leyden, and I plan to do everything I can to make sure we help all the Tom Leydens of America by keeping the Federal Government out of their way and putting education back in the hands of local principals, parents, and teachers.

EDUCATION FLEXIBILITY BILL

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

Mr. LINDER. Mr. Speaker, for too long, our educational system has been handcuffed by the misguided ideas of Federal bureaucrats. For too long our children have been used as pawns in this political game.

The time for that to end is now. It is time for us to stop the partisanship, to stop the bickering, and roll up our sleeves and get to work. We cannot, as a Nation, allow our children to become adults without the tools to succeed. The key to unlocking the powers of first-rate education is the freedom to make choices, giving parents the power to choose their children's education.

Let us pass the Education Flexibility bill, which was announced just moments ago by the chairman of the committee. It will be on the floor this week. Let us pass the bill to allow the States to move past bureaucratic rules that actually inhibit success and bring new and innovative solutions to their classrooms.

This bill will expand education flexibility to all 50 States. It will empower every school district to move past the bureaucracy and do what they believe is best to help their students learn. Let us return education decision-making to those who know what is best for America's students. We will find them in each student's community, not in Washington.

SUPPORT DOLLARS TO THE CLASSROOM

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

Mr. ROYCE. Mr. Speaker, this morning I had the opportunity to join the gentleman from Pennsylvania (Mr. PITTS) at a press conference for the Dollars to the Classroom Act. And also present were students from around the country and teachers and administrators speaking in support of the bill.

Unfortunately, as the system is set up now, as little as 65 cents on the dollar makes it to the classroom. That is wrong. Many children are being shortchanged. Congress must downsize bureaucracy to ensure students get the best possible education.

What the Dollars to the Classroom Act would do is to mandate that at least 95 percent of Federal education dollars end up where it is needed most. Teachers, and most importantly our children, will be direct beneficiaries of the spending, and not the bureaucrats. And under this legislation each school would receive an increase of $10,000.

Cole Allen is an 8th grader. He is from Pennsylvania. He spoke at today's conference about the need for more money in the classroom. He said his geography book is titled ''World Geography Today,'' but it should be called ''World Geography 13 Years Ago.''

□ 1415

Mr. Speaker, we need the money in the schools for the books.

HONORING EMILY GREGOR OF THE BUCKEYE TRAIL ASSOCIATION

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

Mr. REGULA. Mr. Speaker, many of my colleagues know of my strong support for trails throughout this beautiful Nation. No trail is more dear to my heart though than the Buckeye Trail in the great State of Ohio. Today I would like to pay tribute to Emily Gregor, an icon of the Buckeye Trail. Emily Gregor's devotion to the preservation of the trail as a long-time member of the Buckeye Trail Association spans the entire 40 years of its existence. She has served as its historian and legislative coordinator and is its president for 5 years.

Mr. Speaker, I often tell people that the greatest legacy we can leave is not what we put in our will, but what we put in our communities. On the 40th anniversary of the Buckeye Trail Association, I today would like to commend Emily Gregor for the legacy she has given and continues to give to the people of Ohio through the Buckeye Trail. Her tireless commitment to the trail will be cherished for generations to come as they explore the wonders of nature in the great State of Ohio.

OUR SERVICEMEN HAVE OUR TOTAL, UNQUALIFIED SUPPORT

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

Mr. WATTS of Oklahoma. Mr. Speaker, there is a 20-year-old airman out there who is working incredible hours, 7 days a week, all for a cause that he trusts is just.

He puts his faith in his government, in officers above him and in the people of the United States that he will only be put in harm's way for noble and worthy reasons.

That 20-year-old is stationed in Aviano, Italy, and elsewhere across the globe. He does not have time to read the New York Times or to watch CNN to see how the war is going because he is too busy doing his job, making sure that the planes being flown in actual combat missions are as safe and effective as humanly possible. He is unaware of the debates going on in Congress about the wisdom of our policy in the Balkans. He cares little for politics, but he does expect his political leaders to put one concern above all others, do whatever it takes to see that our mission is successful.

We are only Americans now, and that 20-year-old airman and all of his fellow servicemen have our total, unqualified, full support. May God bring him home safely.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the provisions of clause 8, 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 rule XX.

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

AUTHORIZING AWARDING OF GOLD MEDAL TO ROSA PARKS

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 573) to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation, as amended.

The Clerk read as follows:

H.R. 573

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

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) Rosa Parks was born on February 4, 1913, in Tuskegee, Alabama, the first child of James and Leona (Edwards) McCauley.

(2) Rosa Parks is honored as the ''first lady of civil rights'' and the ''mother of the freedom movement''; her quiet dignity ignited the most significant social movement in the history of the United States.

(3) Rosa Parks was arrested on December 1, 1955, in Montgomery, Alabama, for refusing to give up her seat on a bus to a white man, and her stand for equal rights became legendary.

(4) News of Rosa Parks' arrest resulted in 42,000 African Americans boycotting Montgomery buses for 381 days beginning on December 5, 1955, until the bus segregation laws were changed on December 21, 1956.

(5) The United States Supreme Court ruled on November 13, 1956, that the Montgomery segregation law was unconstitutional, and on December 20, 1956, Montgomery officials were ordered to desegregate buses.

(6) The civil rights movement led to the Civil Rights Act of 1964 which broke down the barriers of legal discrimination against African Americans and made equality before the law a reality for all Americans.

(7) Rosa Parks is the recipient of many awards and accolades for her efforts on behalf of racial harmony, including the Springarn Award, the NAACP's highest honor for civil rights contributions, the Presidential Medal of Freedom, the Nation's highest civilian honor, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center.

(8) Rosa Parks has dedicated her life to the cause of universal human rights and truly embodies the love of humanity and freedom.

(9) Rosa Parks was the first woman to join the Montgomery chapter of the NAACP, was an active volunteer for the Montgomery Voters League, and in 1987 cofounded the Rosa and Raymond Parks Institute for Self-Development.

(10) Rosa Parks, by her quiet courage, symbolizes all that is vital about nonviolent protest; she endured threats of death and persisted as an advocate for the simple, basic lessons she taught the Nation and from which the Nation has benefited immeasurably.

(11) Rosa Parks, who has resided in the State of Michigan since 1957, has become a living icon for freedom in America.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to award to Rosa Parks, on behalf of the Congress, a gold medal of appropriate design honoring Rosa Parks in recognition of her contributions to the Nation.

(b) DEISGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS AS NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

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

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

Mr. Speaker, we are here today to honor the mother of the civil rights movement, Rosa Parks. As an Alabamian, I am proud to stand side by side with my friends on both sides of the aisle and pay respects to a native Alabamian and a civil rights heroine. Before saying more, I would also like to commend the bill's author, the gentlewoman from Indiana (Ms. CARSON), for obtaining well over 290 signatures necessary to move this bill to the floor of the House.

Mr. Speaker, Rosa Parks is an American heroine because she is an ordinary citizen with extraordinary courage. She had the fortitude to claim for herself the most ordinary, the most basic of civil rights, to be treated fairly and equally.

She was born in Tuskegee, Alabama in 1913. She was the first child of James and Leona McCauley.

Rosa Parks took a heroic stand and refused to give up her seat on a bus. Montgomery buses were boycotted for 381 days. After court cases, legislative upheaval, the bus segregation laws were changed on December 21, 1956.

An aside to that, Mr. Speaker, is that Dr. Martin Luther King was appointed spokesman for the bus boycott and taught nonviolence to all the participants, and there were over 40,000 participants in that boycott.

But more importantly, Rosa Parks led a prairie fire for freedom which helped ignite and inspire the civil rights movement. Ultimately, this act of courage played a major role in breaking down the barriers of legal discrimination and continues to play a role in making equality an imperative goal in America.

Rosa Parks is the recipient of many awards for her efforts on behalf of racial harmony. Among them, the Springarn Award, the NAACP's highest honor for civil rights contributions, the Presidential Medal of Freedom, the Nation's highest civilian honor, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center.

Rosa Parks has dedicated her life to the cause of universal human rights. She truly embodies the spirit of respect for humanity and personal freedom that is central to the American ideal.

Rosa Parks by her quiet courage symbolizes all that is great in the American spirit. She endured threats of death in defending and demanding for all the most basic rights embodied in the Constitution and the Bill of Rights. This Nation has benefited immeasurably from her heroic efforts, and the U.S. Congress is proud to celebrate her achievements by awarding her the Congressional Gold Medal.

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

Ms. WATERS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Indiana (Ms. CARSON) be permitted to control 10 minutes of the time allocated to me.

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

There was no objection.

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

Mr. Speaker, every now and then God places in our midst an angel, a human being of extraordinary character and immeasurable compassion with the energy and courage to fuel their undying commitment to justice. Rosa Parks is that person. Rosa Parks is that angel, a woman of divine inspiration who, on December 1, 1955, refused to move from the white only section of the bus in Montgomery, Alabama. When she was told to move to the back of the bus, she was arrested.

Rosa Parks was a working woman, a seamstress of very modest means. She had neither political power nor influence. She simply had the courage of her convictions. Mrs. Parks did not move to the back of the bus. She took a stand.

She was arrested. Her arrest sparked a revolution on December 5, 1955. The defiant spirit of Rosa Parks ignited the long suppressed longing for freedom, and the contagious sparks of new possibilities sailed through the Montgomery air. Men, women and children decided they would no longer suffer the indignities of a city that discriminated against them, marginalized them, brutalized and disrespected them.

Montgomery's most egregious manifestation of segregation was in public transportation, in particular the bus company where African Americans were cursed and sometimes assaulted by bus drivers without provocation, forced to board from the rear door after depositing the fare in the driver's box and then often left behind after paying their fare, strictly forbidden from ever sitting in the first four rows reserved for whites.

Black pride and self-determination took hold. Blacks got off the bus and the plantation. Blacks carpooled, blacks walked, blacks found a way to get around without bus transportation. They boycotted.

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

Mr. BACHUS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Speaker, I rise today to encourage and to applaud Congress for putting this resolution before us to honor Rosa Parks. Rosa Parks changed the course of history when, on December 1, 1955, she refused to give up her seat to a white man. The fact is I would like to think that there were white folks in her city that wanted things to change, that wanted equal opportunity and equal access and equal rights to all parts of society in her community, but they did not act.

Rosa Parks did act, and she had the courage, the quiet courage, to make a profound difference. By her actions, she encouraged and created a movement that was largely credited for passage of the 1964 Civil Rights Act in the 1965 Voting Rights Act.

Today we still do not have the harmony that we seek in this country. We are still not a country that has figured out how to live together with all the good and best interests for every child, every individual in this country.

Rosa Parks served as an inspiration to us in 1955. I hope that by awarding this congressional medal she will continue to serve as an inspiration to all of us and to our children.

Many times today people do not believe that one person can make a difference. They feel cynical and they feel hopeless and helpless, and because of that, they do not act.

So, as we award this medal, maybe what Rosa Parks did will give us all courage and confidence that one person does make a difference and that if we are to have equality and a common sense of good and love across racial lines, that all of us have to stand up and take that action, that courageous action that Rosa Parks did.

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

Mr. Speaker, first I would like to thank the other 329 Members of the 106th Congress who joined me in unprecedented numbers to award the Congressional Medal of Honor to the Honorable Rosa Parks, a human being extraordinaire.

This is my first bill that I will pass from Congress, and there is no better way for me to inaugurate my service in the United States Congress than to introduce a bill that will give a Congressional Gold Medal to Rosa Parks. Her courage propelled her to great heights. She is profiled as the leader of the century by major news media universally.

□ 1430

Her selflessness embraced the spirit of the British National Anthem: ''My country 'tis of thee, sweet land of liberty.''

Mrs. Parks in Montgomery, Alabama, sought to, tried to validate this pledge of ours, one nation under God, with liberty and justice for all people. Her steadfastness and unmovable decision revisited the words of Abraham Lincoln, the great emancipator, in his Gettysburg Address, that we would have a government of the people, by the people and for the people.

Mrs. Parks, thank you very much for watching this long-delayed honor by the United States Congress in celebration of your 86th birthday present. What a great present, Mrs. Parks, for the United States Congress to give to you in this particular way.

I am grateful for your steadfastness, your perseverance, the kind of contribution that you made to America almost 44 years ago, and it is because of your good work and your determination, the fact that you sacrificed yourself and went to jail. And a woman that was not of color, Mrs. Virginia Foster Durr, who was known as the matron of the civil rights movement, bailed Mrs. Parks out, which underscored that there were people who were not people of color necessarily who came to the forefront to ensure that justice prevails.

So, Mrs. Parks, while you watch this live from California and while both you and I are alive to see it pass, I want to publicly, for America, thank you very much, Rosa Parks.

Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. RODRIGUEZ).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Members are reminded that their remarks are to be addressed only to the Chair.

Mr. RODRIGUEZ. Mr. Speaker, today we pay tribute to a great civil rights leader, Rosa Parks. It was a great honor to see Rosa Parks at the State of the Union address earlier this year. Looking up at her in the gallery, sitting there with the First Lady and other distinguished guests, it gave me great pride and reminded me of what America is and how great it is.

The Gold Medal is a fitting tribute. Congress has honored more than 100 great Americans and world citizens, including George Washington and most recently Mother Theresa and Nelson Mandela. It is the highest award that can be given by Congress and we know that she deserves the Gold Medal of Honor.

Mr. Speaker, today we pay tribute to a great civil rights leader as we prepare to vote on awarding the Congressional Gold Medal to Rosa Parks. Her quiet, non-violent refusal to adhere to racist segregation helped break open the flood gates of freedom in this country. That act put us all on the road to a more equal society and to an integrated society.

It was a great honor to see Rosa Parks in person as a guest of the President at the State of the Union address earlier this year. Looking up at her in the gallery, sitting with the First Lady and other distinguished guests, gave me great pride and reminded me why America is the land of great potential.

The Gold Medal is a fitting tribute. Congress has honored more than 100 great Americans and world citizens, including George Washington and most recently Mother Theresa and Nelson Mandela. The highest award given by Congress to civilians, it is my honor to be a co-sponsor and supporter of this legislation.

Since that historic day on December 1, 1955, in Montgomery, Alabama, when she took a stand against a fundamentally unfair and immoral system, Rosa Parks has served as a source of inspiration and courage to those who continue the struggle for civil rights and equality for all Americans. She taught us that one individual can make a profound difference, that one individual can bring down the walls of division in our society, that one individual can clear the path to a better tomorrow. Rosa Parks has earned this medal.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. Mr. Speaker, I rise in support of the resolution of the gentlewoman from Indiana (Ms. CARSON), authorizing a Congressional Gold Medal for Rosa Parks in recognition of her contributions to this Nation.

Rosa Parks is known as both the first lady of civil rights and the mother of the civil rights movement.

She began to earn these titles back in 1955 for her courageous refusal to comply with the Montgomery, Alabama, law which required her to give up her seat on a public bus for a white man. For this, she was thrown in jail. However, an interesting historic footnote is that Rosa Parks was ejected from a bus further back in time, in 1943, for entering through the front door instead of the back door as then prescribed by the law.

To protest the segregated public bus system and Rosa Parks' arrest, a fledgling civil rights group, the Montgomery Improvement Association, organized a historic boycott of the Montgomery, Alabama buses, led by a young civil rights leader named Martin Luther King, Jr. The boycott lasted 381 days.

Thanks to Rosa Parks' conviction and the steady determination of the civil rights movement, the U.S. Supreme Court struck down the Montgomery, Alabama, segregated seating law and the buses were legally integrated.

Mr. Speaker, many history books stop there, but I believe it is important to note that Rosa Parks' courageous stand was not without cost to her and to her family. Rosa Parks was harassed continuously. She lost her job. Her husband lost his job and suffered a nervous breakdown. Rosa Parks and her husband could not find work anywhere near Montgomery, so they moved to Detroit where her husband had to be hospitalized further.

Ultimately, Rosa Parks began working for the congressional office of our colleague, the gentleman from Michigan (Mr. CONYERS), and she still remains active to this day in the civil rights movement.

Mr. Speaker, as we fast forward to today, I find it amazing how much we take for granted thanks to Rosa Parks' courageous stand almost 45 years ago. For this reason, I urge all of my colleagues to support this resolution. I congratulate my colleague from Indiana (Ms. CARSON) for introducing it.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I rise to celebrate the awarding of the Congressional Gold Medal to Mrs. Rosa Parks. Reverend Dr. Martin Luther King once said that anybody can be great because anybody can serve. You do not have to have a college degree to serve. You do not have to make your subject and your verb agree to serve. You do not have to know Einstein's theory of relativity to serve. You only need a heart full of grace and a soul generated by love.

In 1955, at the time of Mrs. Parks' heroic act, I was 6 years old, a daughter of a skycap and a factory worker, a student of the civil rights movement and now, thank God, a Congresswoman,

able to vote to award the Congressional Gold Medal to Rosa Parks. I only hope that many young people, African-American, Caucasian, Asian, Indian, Hispanic, brown, black, white or yellow, will continue to be inspired by the integrity and work of Mrs. Rosa Parks and will be willing to stand and make a public gesture.

Mr. BACHUS, Mr. Speaker, I am honored to yield 1 minute to my fellow Alabaman and friend, the gentleman from Alabama (Mr. HILLIARD)

Mr. HILLIARD. Mr. Speaker, I have the great good fortune of having known Mrs. Rosa Parks for many years. It was in my congressional district that she lived and it was in my congressional district that she refused to move to the back of the bus.

Rosa Parks' courage ignited a movement. Her courage provided the spark for a movement that was smoldering. I am a personal benefactor of Mrs. Parks' act and I am very grateful to her.

Rosa Parks was an ordinary citizen who performed an extraordinary act which changed America in a positive way forever. Rosa Parks is an American hero. As my Spelman College sisters would say, she is an American shero.

To Mrs. Parks, I say thank you for not moving to the back of the bus. Thank you for a lifetime of service to civil rights. I am humbled and deeply grateful for this opportunity to personally say to you I appreciate your courage.

Mr. Speaker, America is a better place because Rosa Parks came its way.

Ms. CARSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), in whose district Mrs. Parks is now a legal resident.

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

Ms. KILPATRICK. Mr. Speaker, I thank my colleague, the gentlewoman from Indiana (Ms. CARSON) for yielding me this time on this very special day as we honor one of America's greatest heroes, she-roes, I might add, Mrs. Rosa Parks. As was mentioned, Mrs. Parks lives in my district in Michigan. She came to my district as she left Alabama and for all of these years has been a hero of courage and inspiration for all of us, near and afar.

I am here today to add my voice to those who have said, let us award Mrs. Parks a medal that is long overdue, the highest honor that this body can offer, the Congressional Gold Medal. I am here further to ask for something again. Mrs. Parks in 1987 established the Raymond and Rosa Parks Institute in Michigan. She cared for and assisted hundreds of children across America to learn about civil rights, to learn about their history.

We are asking in this budget year, fiscal year 2000, in the Labor-HHS budget for $3 million for the Raymond and Rosa Parks Institute for Self-Development so she can continue inspiring and motivating children. I hope this body will accept and adopt the appropriation. It is just a small amount of what has already been put in through her courage, through her work and through the funds that we have collected over the last 10 years. Let us support the Raymond and Rosa Parks Institute for Self-Development so that our children can know, as we have lived through this 20th Century, that as we move forward, let us take the spirit of Raymond and Rosa Parks with us and fund the institute adequately.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, over 40 years ago, Rosa Parks, a Montgomery, Alabama seamstress, showed how one woman, no matter what her background, can light a spark which changes the world. By refusing to give up her bus seat to a white man on a dark December day in 1955, Rosa Parks defied the oppressive legal system of segregation and set off a bus boycott that became one of the first victories in the civil rights revolution of the '50s and the '60s. For this brave stand for liberty and her many other contributions to our Nation and her community, she definitely deserves the Congressional Gold Medal which we are voting to award her today.

Her heroic action resulted in her arrest and the loss of her job, but the ensuing struggle resulted in a U.S. Supreme Court ruling just a year later which declared that the Montgomery segregation law was unconstitutional and that Montgomery officials must desegregate their bus system.

This courageous act changed her life and our Nation forever, but it did not change the character and the humility of Rosa Parks, who still shuns the spotlight and has never sought the recognition which she so richly deserves. After moving to Detroit in 1957, in which she continued to work hard for the many causes which benefited both our Nation and her community, she worked for the gentleman from Michigan (Mr. CONYERS), running his Detroit office until her retirement in 1988.

Rosa Parks also founded the Detroit-based Raymond and Rosa Parks Institute for Self-Development, which helps young people gain self-esteem through a variety of programs, as well as assists them with their education.

By honoring Rosa Parks today, we are also endorsing her message which she so eloquently addressed in her book ''Quiet Strength: The Faith, the Hope and the Heart of a Woman Who Changed a Nation.'' It ends with a plea for people of all races to work together for a world free of violence and racism, where all races and religions unite to improve the quality of life for everyone. Amen.

Passage of this bill will be our contribution to her legacy today.

Ms. WATERS. Mr. Speaker, I yield 1½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman from California (Ms. WATERS) for yielding, and I thank her and the sponsors of this bill for putting it forward at this time.

This body seeks to honor a woman upon whom honors have been heaped. It is worth asking, why so many honors? What is her personal appeal, beyond what she has accomplished? It is worth asking why it is that this is such a revered woman of our times. I think it is for much the same reason that we honor Nelson Mandela.

Three reasons: First, courage against overwhelming odds; two, the action that few would have taken, remember, this was Alabama, circa 1955; and, three, modesty. She claimed to be too tired to move to the back of the bus. The fact is she had complained of segregation and had spoken of being tired of segregation for years.

It was bravery, Mr. Speaker. Two huge and historic effects flow from her act. Her act led to the Supreme Court decision barring segregation in public transportation and, of course, she sparked an entire movement, the Montgomery bus movement.

Those of us who participated in the sit-in movement regard the day of the college sit-ins as when that movement began. In point of fact, that movement began when Rosa Parks sat where she insisted on sitting. The Congressional Gold Medal cannot add glory to a woman who has never sought it. We can only express our appreciation through this medal today.

Mr. BACHUS. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. GILMAN).

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

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

I am pleased to join today with the gentlewoman from Indiana (Ms. CARSON) and the gentleman from Alabama (Mr. BACHUS) as a cosponsor of this long-overdue legislation honoring Rosa Parks with the Congressional Gold Medal. Mrs. Parks is a courageous woman, a woman who stood up for justice and equality, and in the process, changed the course of our Nation's history.

In the early 1950s, blacks were still facing the hardships inflicted by segregation. The term ''separate but equal'' was not really equal, but rather a loophole used to deny rights to blacks. This began to change, though, in Montgomery, Alabama on December 5, 1955 when Mrs. Parks, then a passenger on a Montgomery, Alabama bus, refused to give up her seat to a white passenger on that bus. She was promptly arrested for violating a city law requiring that whites and blacks sit in

separate rows on buses. Mrs. Parks' courage triggered a boycott of the entire Montgomery bus system. That lasted for almost a full year, until the U.S. Supreme Court declared segregated seating on the city's buses unconstitutional.

While Mrs. Parks' refusal to relinquish her seat on that December day and the ensuing boycott ended in success, the effects of her actions were much more far-reaching. Specifically, the boycott's success triggered the civil rights movement of the 1960s, and in addition, it paved the way for the boycott organization's President, Dr. Martin Luther King, Jr., to press forward for full racial equality.

Mrs. Parks' efforts were integral to the civil rights movement, and it is my pleasure to be associated with this legislation presenting Rosa Parks with the Congressional Gold Medal.

Ms. CARSON. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the gentlewoman from Indiana (Ms. CARSON); my colleague, the gentleman from Georgia (Mr. LEWIS), the remaining civil rights leader that worked with Dr. King and Rosa Parks for many years, and to all of my colleagues on both sides of the aisle and both sides of the Capitol.

Now, there are several reasons why Rosa Parks' name can be lifted up with such eloquence today. First is that she developed this theory that applies to every human being that struggles for justice: ''I am only one person, but I am one. I cannot do everything, but I can do something.'' For her to sit down on the bus that day was an enormously courageous act that still thrills the world when they realize this seamstress had determined what she would do, not with Dr. King, not with the civil rights movement, not with the NAACP, not with anyone.

Secondly, she, by her act, brought Dr. King into the movement, and we will have more on that very shortly. But that an oppressed people could take upon themselves to change the de jure and de facto status of race relations by their own action was thought to be impossible by many at that time.

Finally, it was the theory of nonviolence that a woman faced with violent oppressors could say, ''You can do whatever you want.'' Remember, the bus driver begged her to please sit down. And the theory of nonviolence later enunciated by Dr. Martin Luther King makes the Gold Medal a very appropriate response to her today.

Mr. BACHUS. Mr. Speaker, we have heard speaker after speaker who has described how Rosa Parks' quiet and courageous act changed America and redirected the course of history, and for that we are all for the better.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), one of the leaders of that movement.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague from Alabama, my native State, for yielding me this time.

On December 1, 1955, Rosa Parks sat down on a bus in Montgomery, Alabama and refused to give up her seat to a white man. By sitting down, Rosa Parks was standing up. With dignity, with pride, and with one simple defining act, she began a nonviolent revolution in the American south, a nonviolent revolution that swept across America and swept aside segregation and the laws that divided us into two nations, one black and one white.

As a 15-year-old boy growing up in rural Alabama, 50 miles from Montgomery, I was deeply inspired, moved and touched by this simple act of civil disobedience. Rosa Parks taught me and an entire generation the power that one individual can have in standing up for what is right and for what is just.

The history books of the civil rights movement will recall Rosa Parks as one of the founders of the new America. This woman, this one woman, was tracked down by the spirit of history. She saw indignity and she exposed it. She saw inequality and she confronted it. She saw injustice and she defeated it.

So, Mr. Speaker, it is fitting and appropriate that we honor Rosa Parks by awarding her the Congressional Gold Medal. By honoring Rosa Parks, we honor all of us. We honor America. We honor unborn generations.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

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

Mr. Speaker, Congressional Gold Medals are awarded to individuals who have made significant contributions to our Nation or humanity. Why bestow this honor on a woman who refused to give up her seat in the white section of a segregated Montgomery bus? The answer is very simple. Rosa Parks' selfless fortitude became the symbol of a commitment to freedom, equality and justice that paved the way to the end of legal segregation in America.

As we salute our matriarch of civil rights, I am reminded of the words of Dr. King: ''We are caught up in an inescapable network of mutuality, tied in a single garment of destiny.''

Mrs. Parks recognized that in order for our Nation to move from what it has been to what it can be, our garment of destiny must be tightly woven with the policies of justice and inclusion as opposed to discrimination and separation. Again, I congratulate Mrs. Parks for her heroism, and challenge all Americans to embrace her concept of freedom and equality for all people.

Mr. BACHUS. Mr. Speaker, I ask unanimous consent for an additional 20 minutes on this measure, 10 minutes to myself and 5 minutes to each of the gentlewomen.

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

There was no objection.

Mr. BACHUS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I think every American over 45 years of age remembers the heroic stand that Rosa Parks took. That stand inspired the Nation, and the inspiration of the Nation ultimately inspired Congress—both the House and the Senate.

She did this at the beginning of the last half of the decade of the 1950s. She set an example of what one person can do to change a Nation. And she did change a Nation, because from her act of resistence on a segregated bus and the organization that followed led to the role of Dr. Martin Luther King. Rosa Parks gave recognition to all who might have doubted about conditions in the South.

Of course, the Supreme Court ruled that what she fought was unconstitutional, and that was one of the many particular state segregation laws that the Supreme Court of the United States struck down in the decade of the 1950s and the 1960s.

There was still going to be a longer struggle ahead. I was on the Senate staff at that time working on these bills. The Civil Rights Act of 1964 was certainly one of them. The Voting Rights Act of 1965 was another.

Rosa Parks' definance showed that black Americans—African-Americans—could organize themselves, could do the right thing in line with the Constitution. That is exactly what her inspiration meant. Whether it was segregation in the South or in the North, or in the West, or in the East, no group would stand for any form of discrimination against any group because of their race, color or creed.

She began with the defiance of one human being. She deserves the Congressional Gold Medal. Few Americans have had an impact which touched this country and put it on the right course as has Rosa Parks.

Mr. Speaker, I would certainly hope that all Members will support this particular resolution. It is a vital example of the impact one can have in the legislative process. Martin Luther King had a great impact, but he would not have had that impact if it were not for the actions of Rosa Parks, showing that there will be no more discrimination on the buses of Montgomery, Alabama.

What Rosa Parks did is a good lesson in civics for every American: one person can make a difference in our government. She did. She has. We should recognize that significant accomplishment which changed our nation.

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

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman from California for yielding me this time. I want to commend her, and I want to commend the gentlewoman from Indiana (Ms. CARSON) for her leadership and persistence in this bill.

I rise today to join my colleagues in this House in paying tribute to Rosa Parks, the mother of the civil rights movement. All of us will recite the facts, but they cannot be recited enough.

On a cold day in December 1955, Rosa Parks decided that she would sit down in order to stand up and stand up for America. She sat down to stand up for equal rights for all across this Nation. The quiet ''no'' of this gentle southern lady to the demand that she give up her bus seat to a white man gave a new meaning to the word ''courage.''

The courage of this ordinary seamstress who worked in a department store pricked the conscience of the Nation in an extraordinary way. As the bus boycott mounted, activity came to a screeching halt and the world stopped and paid attention.

Rosa Parks spoke quietly, but the whole world heard and understood that it was indeed time for a change. She took a stand that will be forever remembered and appreciated by people all across this Nation. And thanks to Rosa Parks, I now stand proudly as a Congresswoman here, able to pay tribute to her and to do business for the American people.

□ 1500

I intend later to vote, as I hope all of my colleagues will, for the Congressional Medal of Honor to go to a most worthy American. Few people are deserving of such an honor. Rosa Parks indeed is.

I again commend my colleague, the gentlewoman from Indiana (Ms. JULIA CARSON) for introducing this measure and being persistent, and because of that we are here today. All of us should pass this unanimously.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

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

Mr. Speaker, I am really delighted to be here as this resolution comes before us. I was one of the original cosponsors, and I want to add my accolades to the gentlewoman from Indiana (Ms. CARSON) for introducing the legislation and persevering, on both sides of the aisle, so we have a bipartisan measure before us.

Mr. Speaker, Rosa Parks, the mother of the civil rights movement, with one simple act of defiance in Montgomery, Alabama, Rosa Parks set off a revolution that made this country live up to its constitutional ideals.

When Dr. Martin Luther King, Junior, proclaimed his famous ''I have a dream speech'' atop the steps of the Lincoln Memorial, he lay before America a vision of a society free of hatred and inequality. Rosa Parks provided the initial spark for this broad movement on December 1, 1955, by bravely refusing to give up her bus seat to a white passenger after a long day of work.

Mr. Speaker, today we celebrate her courage with the passage of legislation to award the Congressional Gold Medal to this remarkable woman. Her action helped to trigger the civil rights movement. Rosa Parks' simple refusal brought her, Martin Luther King, Jr., and the arduous struggle for equality to the attention of our Nation.

In a later interview, Mrs. Parks stated that during critical moments on the bus she felt determined to take the opportunity ''to let it be known that I did not want to be treated in that manner, and that people had endured it for far too long.''

The leadership, confidence, and faith that she displayed was a glorious achievement. Rosa Parks' courageous act was one of tremendous significance. Her outstanding accomplishment deserves to be recognized by a Congressional Gold Medal.

I am proud to join with my colleagues today in support of H.R. 573, recognizing the contribution that Rosa Parks has made to our society. Today we join together to salute her courage. But let us also renew our commitment to work together for a more just and equitable society.

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

Mr. Tavis Smiley, who is a great commentator across the country, said something last week that I will never forget. He said that each of us must live for a cause, and not just because. Rosa Parks emulates that spirit in a very profound way, and Tavis Smiley does, too.

Mr. Speaker, it is my honor to yield 2 minutes to the gentlewoman from the State of Texas (Ms. SHEILA JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Indiana for her eloquence and for her leadership, and to the ranking member and the chairman, I thank them both for their guidance on this very important legislation.

Mr. Speaker, is it not a great day that we rise to the Floor of the House in a bipartisan and collaborative way to acknowledge Rosa Parks, to give her her due, the Congressional Gold Medal? It is important that we acknowledge that when Rosa Parks sat down, for all of the young people of America who were born after this most heroic act, in a segregated Alabama, almost frightened for her life, America won.

The most important thing that happened, and my colleague, the gentlewoman from Indiana (Ms. CARSON) has lived it in her life, is that we infused into America the best of what America stands for, and that is, the human resolve to change what is evil and what is wrong.

Forty-two thousand people entered into a Montgomery boycott of the buses because of the quiet spirit of Rosa Parks. Again, I say to the young people, when Rosa Parks sat down, America won.

So today I am most honored to be able to stand and join my colleagues in acknowledging that many of us whould not be here today, would not be on the Floor of the House, would not have the opportunity, had Rosa Parks not sparked the infusion of energy that brought about the civil rights movement in this country, that helped to gel it, that helped to give those who were moving towards it the courage to stand up and be counted.

We would not have had the Voting Rights Act of 1965, the Civil Rights Act of 1964, the Affirmative Action Executive order of Richard Nixon, the opening of doors of institutions of higher learning, none of that would have occurred without Rosa Parks.

So I say to Rosa, wherever she might be today, my sister, the mother of civil rights, thank you for giving me the opportunity to stand free in America and to stand with my brothers and sisters today.

Rosa Parks said in her book, when she decided not to stand up and to remain in her seat, it was not a selfish viewpoint. She said, I did not feel any fear. All I felt was tired, tired of being pushed around, tired of seeing the bad treatment and disrespect of children, Mr. Speaker, women, and men, just because of the color of their skin.

Mr. Speaker, I am honored today to now stand up for Rosa Parks as she stood up for all of us to win. With this vote and this honor given to Rosa Parks today, America wins always.

Mr. Speaker, I stand here today with my Colleagues to honor a true American's-hero, Rosa Parks. Today, we come one step closer to giving the ''Mother of the Civil Rights Movement'' the honor she is due by voting to award Ms. Park the Congressional Medal of Honor.

Rosa Parks embodies the spirit of American Freedom and is wholly deserving of this honor. Her single act of courage was the catalyst that transformed this land from a nation divided to a nation striving for unity.

Rosa Parks's story is familiar to us all. On December 1, 1955, she boarded a bus in Montgomery, Alabama, paid her fare and took a seat. As the bus got crowded, Ms. Parks was ordered to give up her seat by the bus driver for a white man. She refused and was arrested. Her simple refusal to give up her seat initiated the Montgomery bus boycott that began the Civil Rights Movement.

In her book, Quiet Strength, Ms. Parks reflected on her feelings when she refused to give up her seat, ''When I sat down on the bus the day I was arrested, I was thinking of going home. I made up my mind quickly about what it was that I had to do, what I felt was right to do . . . I did not feel any fear. . . All I felt was tired. Tired of being pushed around. Tired of seeing the bad treatment and disrespect of children, women and men just because of the color of their skin.''

In her quiet manner, Rosa Parks ignited a spark of defiance, of civil disobedience that has been the hallmark of the Civil Rights Movement. Today, we are all grateful that Ms. Parks had the courage and the faith to do what was right.

It is past time that Congress recognizes and honors this American legend. Rosa Parks has earned her place in history as a brave heroine for her lifelong dedication to civil rights.

It is with great honor and privilege that I support H.R. 573, awarding the Congressional Medal of Honor an American legend, Rosa Parks.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Members are reminded to address their remarks to the chair.

Ms. CARSON. Mr. Speaker, I yield the remainder of my time to the gentleman from Missouri (Mr. GEPHARDT), a young man who has done so much in terms of aiding me in getting this to where we are.

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

Mr. GEPHARDT. Mr. Speaker, I thank the gentlewoman from Indiana for yielding time to me, and salute her for her work and effort in bringing this matter before the United States House of Representatives. I also appreciate that she called me young. That was very nice; not true, but very nice.

Mr. Speaker, in the 105th Congress we honored Nelson Mandela, the father of the struggle for freedom and equality in South Africa, with Congress' highest honor, the Congressional Gold Medal. Now, in the 106th Congress, we have the opportunity to bestow a similar honor on Rosa Parks, the mother of the American struggle for freedom, our civil rights movement.

Through the simple act of keeping her seat on a Montgomery bus in 1955, Rosa Parks stood for the hopes of a people and a Nation. In a 1958 speech, Martin Luther King, Jr., said and I quote, ''You would never have heard of Martin Luther King if it had not been for Rosa Parks and the humble people of Montgomery, Alabama, who decided to walk in dignity, rather than ride in disgrace.''

Rosa Parks symbolizes the greatness in all of us and our ability to rise above our circumstances to achieve the extraordinary. One brave act of humble greatness triggered an avalanche of change which helped our country fulfill its commitment to equal rights for all Americans, regardless of race, regardless of anything.

For her leadership and her example, Rosa Parks deserves to be honored with this Congressional Gold Medal. I am very proud of all of the Members who cosponsored this resolution. I am very proud of all of the Members in both the Democratic and Republican Party who stood with their names for this resolution.

I want to salute my colleague, the gentlewoman from Indiana (Ms. JULIA CARSON) for her efforts in bringing this matter to the Floor of the Congress. I want to thank the leadership on the Republican side for helping to bring this to the Congress.

This act today is in the highest tradition of this great body. We salute together, as one voice, the example, the life, the bravery, the courage, of Rosa Parks, who made this country and everybody in it better.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I rise today to pay tribute to a lady, and I mean a lady in every sense of the word, Ms. Rosa Parks. Forty years ago Mrs. Parks, in her quiet, gentle way, said enough is enough. Forty years ago Mrs. Parks sat down so others could stand up for freedom, justice, and equality. Forty years ago this gentle lady gave birth to a movement that broke the chains of Jim Crowism and its ugly, cruel, and inhuman ways.

Her actions on that fateful day in December of 1955 set forth a chain of events for which every citizen, black, white, Latino and Asian, Jew and Gentile, everyone of this great country will be forever in her debt.

I cannot express how her act of heroism has impacted my life personally. Growing up in public housing in New York City, she inspired me as a young child to join the fight for freedom and to always stand up for dignity and justice. Her quiet, gentle actions commanded that every man, woman, and child has the right to be treated with dignity and respect, not how the Jim Crow regime perceived many or all African Americans to be, less than human.

I do not know where we would have been today without this great woman, for without Ms. Parks there would not have been a Montgomery bus boycott. Without the Montgomery bus boycott there might not have been a Southern Christian Leadership Conference. Without the Southern Christian Leadership Conference, we would not have known Dr. Martin Luther King in the manner that we have known him and the contributions he has made to this great Nation.

Back in 1955 there were only three Members, three African American Members of this body. Now we stand 39 strong, and in large part it is due to this woman. Mr. Speaker, I say that no one is more deserving to receive the Congressional Medal of Honor than Ms. Rosa Parks.

Mr. BACHUS. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. KINGSTON).

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

Mr. Speaker, I stand in strong support of this measure. I am certainly glad we are doing it in the bipartisan fashion that we are.

We often describe Rosa Parks as a civil rights hero, and as noble as civil rights heroes are, sometimes we forget that they are, in a larger sense, American heroes belonging to all of us. In fact, she is a true American hero, an American hero who has had an impact on all of us simply by one act of not leaving her seat. In doing so, she exploded into society a concept of full participation into the American institutions, so that not just people would be sitting next to each other on buses, but riding the same cabs, sitting in the same restaurants, and perhaps, most importantly, so children would be sitting next to children in schools.

I know. I entered the school system in Athens, Georgia, in 1962 in an all-white school system. We had white schools and we had black schools. Then when I was in fifth grade, Talmadge Vernell Wilson, the one black child, was in our class. There were four classes, four fifth grade classes, with a black child in each class. There were still white and black schools, but we were integrated. Yet by the time I graduated from high school in 1973, there were no more black schools and no more white schools.

That became ancient history because of the brave determination of people like Rosa Parks. She broke the barriers, and led the way for other boycotts and other icebreakers who would go in and bravely stand up, speak out, sit down, or whatever it took to bring the changes that needed to be made in the 1950s, 1960, and 1970s.

In ancient Rome the tradition of the Cincinnatus, the citizen hero soldier who stood up, who left his plow, fought the war, and then went back to being a citizen, that is what Rosa Parks was, a civilian, a citizen, a nonprofessional who happened to put what was right above her own needs.

As Robert Frost said in his poem, the Road Less Traveled, by not taking the road popular but taking the road less traveled, it made all the difference. By doing the brave thing, the uncomfortable thing, the thing that probably millions wanted to do but perhaps were scared or had reasons not to do, Rosa Parks did, and Mr. Speaker, that made all the difference.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN.)

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

□ 1515

Ms. BROWN of Florida. Mr. Speaker, to whom God has given much, much is expected. I rise today to say thank you, Mrs. Parks, on behalf of the residents of my district and the people of the State of Florida, for your unselfish commitment to civil rights.

This country is a better place because of her courage. Rosa Parks is a hero. I hope that we consider this Congressional Medal of Honor a first step in finally recognizing Mrs. Parks for her role in our Nation's history.

Mrs. Parks, wherever you are, we love you, we thank you, and we stand on your great shoulders.

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

I simply say that is it not ironic that Mrs. Parks, by remaining seated, stood up for all of us and for our right to fair treatment and to equality. For that, we are a better country and a better

people. This is a just and overdue honor.

Mr. Speaker, I yield the balance of the time to the gentleman from Oklahoma (Mr. WATTS).

Mr. WATTS of Oklahoma. Mr. Speaker, I commend the gentlewoman from Michigan (Ms. CARSON) for her resolution, and I was honored to work with her to get this resolution to the floor.

Today, Mr. Speaker, the people's House celebrates and honors the courage of one woman, Mrs. Rosa Parks. On December 1, 1955, she refused to give up her seat on a bus in Montgomery, Alabama.

Her arrest ignited a chain of defiance throughout the South. Perhaps the most important lessen we can all learn of our triumph over segregation is that one person has the power to start a movement to right a wrong.

But today nearly 45 years later is an equally important day, because today marks a day of great reconciliation for our Nation. In 44 years we are transformed from a country bitterly and violently divided along color lines into a country that unites to honor the courage of one black woman.

I am honored to stand on the floor of the United States House of Representatives representing the great State of Oklahoma and introducing this resolution, which already has overwhelming bipartisan support, to honor Mrs. Parks. A woman who has been considered a heroine for African-Americans is today a heroine for all Americans.

The United States of America, the greatest democracy the world has ever known, is a country of laws, not of men. However, our laws have not always protected all of its citizens.

The South's ''Jim Crow'' laws oppressed its African-American citizens and undermined the very spirit of our democracy. Although segregation subverted the integrity of equal justice under law, it cannot diminish the most indelible element of democracy: that one man, one woman can stand in the face of injustice and change a Nation. This is the legacy of Mrs. Parks.

Often courage is not deliberate, but rather quiet, unexpected, and subtle. Frequently, maybe daily, we all face simple dilemmas that require us to decide to either follow the pack or forge our own path.

It would have been easy enough for Mrs. Parks to get up and take a back row seat. It would have been simple enough for her to comply with the status quo and relinquish her seat. After all, it was only a seat in a bus, a bus she took back and forth every day. It would have been easy enough.

However, I believe true courage and heroism does not necessarily emerge from the monumental challenges of life but rather from the simple ones. It is easy to let an insult go, easy to yield in an argument, easy to acquiesce, and it would have been easy to give up a seat on the bus in Alabama in 1955, but we are here today to honor a woman who chose not to make the easy choice.

It is the people who choose not to make the easy decisions who change hearts, who change minds, who change history. We should all have the courage not to make the easy choices, for true democracy depends on those who choose their own path.

Democracy is a fragile concept. It is one that rests equally on the shoulders of each individual. Therefore, if one person's liberty is threatened, then everyone's liberty is at risk.

People like Mrs. Parks ensure democracy for all of us, because without them we risk submitting to the simple challenges and slowly surrendering the freedoms we all hold so dear.

I am proud and grateful for Mrs. Parks' past achievement and tenacious disposition, but I am also proud and inspired by the task we undertake today. By supporting the commemoration of Mrs. Parks' accomplishments with a Gold Medal of Honor, we are not only honoring her past achievements, but we also celebrate our present gratitude.

Because when Mrs. Rosa Parks refused to give up her seat that evening on a bus in Alabama, she stood up not only for the civil rights of Southern blacks, but for the civil rights of every red, yellow, brown, black and white American. She did not bend under the formidable pressure democracy can sometimes place on one's shoulders. She stood tall and she stood firm so that we all might stand a little taller and a little prouder.

As the gentleman from Georgia (Mr. LEWIS) said, we all, red, yellow, brown, black, or white, are benefactors of Mrs. Parks' courage. For that, Mrs. Parks, we all say ''Thank you.''

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding me this time and for her great leadership in bringing this very, very important piece of legislation to the floor.

This is a great day for the House of Representatives. This is a day that brings honor to the work we do here as we honor Rosa Parks. Rosa Parks is the legitimate heir of the founders of our country. I hesitate to say Founding Fathers because in some ways she is a founding mother for all that our country stands for. She is in the tradition of freedom, equality, and of liberty.

How wonderful, how wonderful that this House of Representatives and thus then this Congress of this United States will award her the Gold Medal. Every American who has ever lived and who ever will live owes Rosa Parks a great debt of gratitude for her courage, for her leadership. It did not stop when she changed the course of history in our country. She continues to be a source of inspiration to all of us.

Again, we thank Rosa Parks for her courage and for allowing us the privilege of honoring her.

Ms. WATERS. Mr. Speaker, I yield to myself the balance of my time.

Ms. WATERS. Mr. Speaker, I take this moment to thank the gentlewoman from Indiana (Ms. CARSON) for her hard work, for her vision, and for the care that she has shown in bringing to us what we should have done a long time ago, the honoring of Rosa Parks in this very special way.

I would like to thank the gentleman from Alabama (Mr. BACHUS), my colleague, the chair of our committee. I would like to thank him for all of his cooperation, for his support, and for the work that he did to make sure that we got this measure up before this House. I thank him very much for all that he has done to ensure that Rosa Parks is honored.

We seek to honor Rosa Parks with the Congressional Gold Medal of Honor because of her love of justice and equality, because of her love of self and her people and all people, because she has helped to save America and pointed the Nation in the right direction after a favorable Supreme Court decision brought to an end the Montgomery bus boycott.

Mrs. Parks moved to Detroit, Michigan, where she worked for the gentleman from Michigan (Mr. CONYERS), her good friend and our colleague. I thank the gentleman from Michigan (Mr. CONYERS) for seeing to it that Ms. Parks had food on her table. She stayed there until her retirement.

Now, as if she had not done enough, in February of 1987, along with Mrs. Elaine Eason Steele, Mrs. Rosa Parks co-founded the Rosa and Raymond Parks Institute for Self-Development. The institute, which focuses on social action and economic development among America's youth, is a realization of one of Mrs. Parks' long-awaited dreams.

When we honor Mrs. Rosa Parks, we honor the best in ourselves. If she had not sat down, where would we stand today?

Mr. Speaker, I hope the time the Members of the House have spent on the floor here today will serve as a history lesson to the young people of this Nation. We want them, like Rosa Parks, to be the absolute best human beings they can possibly be.

We would like them and all Americans to dedicate their lives to freedom, justice, and equality for all people. We would like all Americans who have focused today on this history lesson to live for justice, to work for justice, to sacrifice for justice, and if necessary to even die for justice.

Mr. HASTERT. Mr. Speaker, racial prejudice, as the American novelist Pearl Buck once said, ''is a shadow over all of us and the shadow is darkest over those who feel it least and allow its evil effects to go on.'' Fortunately for the United States, this statement does not describe Rosa Parks.

Her courageous, yet simple act, made clear that the evil of racial prejudice could not go on. In an era when words seemed to speak louder than deeds, her small act of defiance spoke volumes—and we are still hearing the reverberations today.

Rosa Parks not only deserves, but has more than earned the Congressional Gold Medal. When I met her recently over tea, it was an amazing—and humbling—event to meet a living legend. Like American heroes before her, she has created a lasting legacy as truly the first lady of civil rights and the mother of the freedom movement. I am honored to have met her and honored to recommend that she receive the Congressional Gold Medal. I am proud that this Congress has taken the initiative to honor this American legend.

Mr. DREIER. Mr. Speaker, it is with deep admiration for Ms. Rosa Parks that I support H.R. 573, authorizing the President to award a gold medal on behalf of the Congress to her. As most Americans know, on December 1, 1955, Rosa Parks refused to give-up her seat to a white man on a Montgomery, Alabama bus. It is hard to imagine that up until the 1960s, Americans in the south lived in legal segregation. It took the strength and courage of one seamstress who had a particularly rough day to bring the injuries and injustices that a whole race had felt for decades to the forefront of our national discourse.

Her whole-hearted contribution to the civil rights movement and to the doctrine of non-violent protest was an inspiration to those who had lost hope during such a dark and tense time in American history. By not yielding her seat on that bus, Ms. Parks ignited a fever for change that was not quenched until the passage of the Civil Rights Act of 1964. That fever started with the Montgomery Improvement Association beginning a bus boycott that grew larger and spread to cities across the country. The nation soon became aware of the social injustices that were being placed on its own citizens. Great civil rights leaders took up Rosa Parks' torch and began fighting for legislation that would repel laws calling for discrimination and unequal treatment.

Rosa Parks' dedication to equality and individual rights strikes at the heart of America's founding principles. It was through her steadfast will and enduring faith in the human spirit that a nation torn by racism and hate was able to see the folly of its misguided actions. Her quiet courage taught us all how to follow our hearts and stand-up for the freedom all Americans deserve. To this day, Ms. Parks embodies freedom and is a living example of individual power. Her actions ultimately culminated in the greatest civil rights movement of the century. After years of social strife and protest, America recognized the need to ensure all citizens equal treatment under the law. At the end of the long, loud struggle that Ms. Parks quietly began, all Americans could legally enjoy the rights that our great Constitution entitles all of us to. For those reasons alone she is a monumental figure and worthy of our deepest praise and thanks.

Mrs. JONES of Ohio. Mr. Speaker, anybody can be great because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You don't have to know Einstein's theory of relativity to serve, or theory of thermodynamics to serve. You only need a heart full of grace and a soul generated by love.

In 1955 at the time of Mrs. Parks heroic act, I was six years old, a daughter of a sky cap and factory worker, a student of the Civil Rights Movement, and now thank God a Congresswoman able to vote to award Rosa Parks a Congressional Gold Medal. I only hope that more young people African American, Caucasian, Asian American, Hispanic, American Indian, brown, black, white, or yellow will continue to be inspired by her heroic acts.

Mr. ROEMER. Mr. Speaker, I rise in strong support of H.R. 573, a bill to convey the Congressional Gold Medal to Rosa Parks. I am proud to be an original cosponsor of this measure, and I want to also express my thanks to my Hoosier Colleague Julia Carson for authoring the bill.

I thoroughly agree that Rosa Parks is a living role model for all of us. Her grace and dignity are inspiring, and her simple refusal to accept injustice is deservedly a noted highlight of American history. Rosa Parks is one of the most important icons of the century, and today we honor her living contribution to history.

Rosa Parks committed an act of valor that did not just disturb a community—it sent a wake up call to the nation. The foundations of history are built of simple acts of heroism. Ms. Parks earns her rightful place among the notable for her bravery and commitment. For her accomplishments, bestowing this medal is the least that Congress can do.

Mr. Speaker, Rosa Parks' experience teaches us about endurance, about pride, and about self-respect. The lessons learned from her life should reach everyone, and bring us closer together.

Mr. BENTSEN. Mr. Speaker, I rise to honor Rosa Parks for her role in American History. It is long overdue that the Congress recognize her with the Congressional Gold Medal for her contribution to the Civil Rights Movement.

On December 1, 1955, Rosa Parks stood up for human rights when she refused to give up her seat on a bus in Montgomery, Alabama. Her simple yet enormous act of defiance led to the 382 day Montgomery Bus Boycott. Rosa Parks stared down racism and hatred by simply saying ''No.'' No to Jim Crow. Not to second-class citizenship. No to segregation. By doing so, she said yes to freedom and yes to the principle that ''all men are created equal.''

We should not think however, that this resistance was easy. Rosa Parks was thrown in jail, harassed, and humiliated. But, this did not stop her from pressing forward. She displayed exemplary courage at a time when it was unsafe for a black woman to do so. She wanted equality not only for African-Americans, but for all Americans.

During this tumultuous time America, Rosa Parks was a beacon of light for our country. Her defiance and the persistence of African-Americans led to the desegregation of public transportation in Montgomery. She has earned her place in history with other civil rights pioneers such as Harriet Tubman, Frederick Douglass, and Dr. Martin Luther King, Jr.

Prior to the Montgomery Bus Boycott, Rosa Parks served as the Secretary of the NAACP and later Adviser to the NAACP Youth Council. She tried to vote at a time when it was impossible for African Americans to do so. She was constantly turned away at the polls, but these obstacles did not hinder her pursuit of justice.

Segregation was evil, demeaning, and belittling to our Constitution. Today is our chance to reaffirm our faith in freedom.

This honor should not have taken so much time. We should remember Dr. Martin Luther King's words in his letter from A Birmingham Jail:

> Actually, time itself is neutral: it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than the people of good will. . . Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be coworkers with God, and without this 'hard work,' time itself becomes an ally of the forces of social stagnation. We must use time creatively, in the knowledge that the time is always ripe to do right.

Rosa Parks lived these words.

Mr. Speaker, Americans have made great strides in equality, but we still have a long way to go. Awarding Rosa Parks a Congressional Gold Medal is the least we can do to recognize her achievements to the Civil Rights Movement. She truly inspired a nation.

Mr. FORD. Mr. Speaker, I rise today in strong support of bill H.R. 573 to honor the eternal Mother of the Modern Civil Rights Movement, Rosa Parks. Ms. Parks' humble and courageous resistance on that great day in 1955 served as a catalyst for great change in our nation. Her refusal of ''second class citizenship'' served as a testimony to her pursuit of equality and justice for all Americans. Ms. Parks' is one of the great figures of modern times, and it is, in the words of Abraham Lincoln, ''altogether fitting and proper'' that we repay her dedication with the Congressional Gold Medal.

When they arrested and removed Ms. Parks from that bus in Montgomery, Alabama, she did not know the momentous impact of her actions. She didn't know that her quiet courage would spark the bus boycotts and the emergence of a young minister by the name of Dr. Martin Luther King, Jr. Ultimately, the movement ignited by Ms. Parks led to the monumental civil rights legislation passed by this great body.

Ms. Parks has been recognized by virtually every national organization dedicated to equality and social justice in this nation, yet until today, the U.S. Congress had not extended such an honor. I urge each and every person in this House to vote ''yes'' to bill H.R. 573. Join me in honoring Rosa Parks, a champion of the Civil Rights Struggle, with the Congressional Gold Medal.

Mr. FILNER. Mr. Speaker and colleagues, I rise today in strong support of this legislation to honor one of my heroes and a great American, the venerable Rosa Parks.

On a wintery afternoon in December 1955, Rosa Louise Parks could not have known she would soon become a national symbol and civil rights icon. But in standing her ground and demanding her fair and equal treatment on that bus in Montgomery, Alabama, Rosa Parks became the first lady of civil rights and the mother of the freedom movement.

Her simple action and committed resolve that day empowered a people, ignited a movement and changed the course of American history.

The events that followed Ms. Park's protest that day—her arrest, the Montgomery bus boycott, and the eventual integration of the bus system—set the stage for Dr. Martin Luther King and the Civil Rights Act.

As a young college student, I was inspired by the stories of Ms. Park's courageous action. I traveled to the south as a ''freedom rider'' in support of the blossoming civil rights movement, and I too was jailed for my actions.

Rosa Parks determination and tenacity that day continues to be an inspiration to all those committed to non-violent protest and change more than 40 years later. She continues to be a symbol and tireless advocate for justice and equality throughout America. She is a priceless lesson on the ''power of one.''

Mr. Speaker, Rosa Parks is a national treasure. Our debt to her is great, and awarding her the Congressional Gold Medal is an honor long overdue.

I am proud to co-sponsor this legislation, and I urge my colleagues to join me in awarding the Congressional Gold Medal to my hero, Rosa Louise Parks.

Mr. ARMEY. Mr. Speaker, 44 years ago this December, Rosa Parks refused to give up her seat on a bus to a white man who wanted it. Rosa Parks didn't know that she was making history. And she certainly had no idea that she would become a genuine American hero. What she knew was that she was tired after a long day's work and she wanted to rest her weary feet.

In the first half of this century, Montgomery, Alabama, represented the worst segregation had to offer. Daily life in Montgomery included such insulting facts of life as ''blacks only'' elevators, segregated lunch counters, and Jim Crow laws which relegated African-Americans to second-class status. And on public buses, the first four rows of seats were reserved for whites, and usually remained empty when there were not enough whites to fill them. The back section, of course, was always very crowded, was reserved for blacks.

One December evening after a long day at work, Rosa Parks stepped on a bus for the ride home to a restful night of sleep. Parks was sitting in the middle section of the bus when a white man boarded the bus and demanded that she move because the white section of the bus was full. Parks, very tired from a long day working as a seamstress, quietly refused to move. When told by the bus driver that the police were about to be called, Parks said, ''Go ahead and call them.'' The police came and they arrested this gentle, middle-aged women for refusing to move to the back of the bus.

It was this stand against racism and prejudice in Montgomery, Alabama, that has led many to refer to Rosa Parks as, ''The mother of the Civil Rights movement.'' Because of the courage of individuals like Rosa Parks, the ugly head of segregation was eventually severed and the violence and indignities that once faced African-Americans in the South are now grim reminders of a shameful part of American history.

Mr. Speaker, school children today read in their history books about the strength, dignity and heroism of Rosa Parks. She is a living treasure and her heroism serves as a constant reminder that freedom only works if freedom applies equally to all Americans, regardless of color or circumstances.

Mr. LARSON. Mr. Speaker, today I rise to offer my support for H.R. 573, which would ''Authorize the President to Award a Gold Medal on Behalf of the Congress to Rosa Parks in Recognition of her Contributions to the Nation.''

Rare are the people who can be called ''living legacies.'' But today I am fortunate to have the opportunity to honor one of these rare people. Her name is Rosa Parks.

It is probably hard for any of us to understand the inner strength and fortitude that it took for Ms. Parks to take the simple, but momentous action she did on that fateful day of December 1, 1955. Yet, what we can understand is why she is most deserving of a Presidential Gold Medal.

We often hear the phrase ''one person can make a difference.'' No one more embodies that phrase than Rosa Parks. Not only did she make a difference to her generation—since it was her action that inspired the creation of the 1964 Civil Rights Act and the 1965 Voting Rights Act—but she continues to inspire generations that have followed. Through the Rosa and Raymond Parks Institute for Self-Development, a non-profit organization she co-founded in 1987, she works with young people to help them achieve their full potential.

No words can better state the difference that one person can make than what Ms. Parks wrote herself in her book *Quite Strength* ''Our mistreatment was just not right, and I was tired of it. I kept thinking about my mother and my grandparents, and how strong they were. I knew there was a possibility of being mistreated, but an opportunity was being given to me to do what I had asked of others.''

When she refused to give up her seat on a bus to a white man she inspired 42,000 African Americans to boycott Montgomery buses for 381 days. Rosa Parks' fight against the barriers of racism could have easily ended there. The fact that it did not is what makes her so special.

Rosa Parks is a woman who lived her life with the strongest of convictions for what is right, what is good and what is just. I urge my colleagues to support this bill to honor one of our Nation's living legacies who has devoted her life to making a difference in this country.

Thank you, Rosa Parks for all that you have done.

Mr. LEVIN. Mr. Speaker, I am proud to be a cosponsor of H.R. 573 to authorize the President to award a gold medal honoring Mrs. Rosa Parks.

She has embodied the importance of individual responsibility and the significance of individual action. When she stood up for her rights as a human being, she truly made a difference.

In her autobiography *Quiet Strength,* Mrs. Parks explains that she did not change things alone. She writes, ''Four decades later I am still uncomfortable with the credit given to me for starting the bus boycott. I would like people to know I was not the only person involved. I was just one of many who fought for freedom.''

Her enduring modesty has also been an example for others, reminding us that standing up for principle is enough of a reward, whether it is in the limelight or in the shadows.

The reality is, of course, that Rosa Parks was the pebble that started an avalanche, and for that she is honored as the Mother of the Civil Rights Movement in America.

I have had the privilege of knowing Rosa Parks over the decades of the civil rights movement. As she has for millions of Americans, she has been for me a source of inspiration in the battle for good will among us all.

I urge support for this important resolution.

Mr. BARR of Georgia. Mr. Speaker, I rise today in support of H.R. 573, legislation which will authorize a congressional gold medal to Rosa Parks. H.R. 573 will authorize the President to award a gold medal on behalf of the Congress to Rosa Parks. Rosa Parks is the Mother of America's civil rights movement. Her efforts opened new doors of opportunity and brought true equality for all Americans closer to reality.

In 1955, Rosa Parks touched off the bus boycott in Montgomery, Alabama, when she was arrested for refusing to yield her seat at the front of the bus to a white man. Boneweary from a long day at work, Rosa Parks was on her way home. The only seat available on the bus was in the 'white' section. Outraged by her arrest, the black community in Montgomery launched a bus boycott demanding racial integration of the bus system.

The bus boycott introduced Dr. Martin Luther King, Jr. to America as a civil rights leader. Led by Dr. King, African-Americans took car-pools to their destinations in Montgomery and pushed the bus system to the brink of financial ruin. After months of running nearly-empty buses, Montgomery relented and agreed to integrate the system. For the first time bus riders, no matter what their color, could sit anywhere they wanted.

The movement sparked in Montgomery culminated several years later in the Civil Rights Act, and other civil rights legislation, and a new affirmation of the equal rights promised all Americans by the Constitution. The quiet courage of Rosa Parks changed the course of American history and came to symbolize the power of non-violent protest.

In the 44 years since that day in Montgomery, the nation has derived immense benefit from the leadership Rosa Parks inspired, and she continues to dedicate her life to the cause of universal human rights.

Mr. Speaker, in recognition of Rosa Parks' contributions to the nation, I ask my colleagues to join me in honoring this unique woman and authorizing a congressional gold medal.

Mr. EVERETT. Mr. Speaker, today the U.S. House is honoring the contributions of a distinguished native Alabamian who helped change the social fabric of the nation. I'm speaking of Rosa Parks, known as the mother of the civil rights movement.

On Thursday, December 1, 1955, Rosa Parks, an African-American seamstress, boarded a city bus in Montgomery, Alabama on her way home from work. She took her seat on the crowded bus just behind the white section. A few stops later, as more passengers boarded, the driver ordered her to give up her seat to a white man. She refused and the bus driver called the police. Parks was arrested for violating the Montgomery segregation code, having to pay a $10 fine and $4 in court costs.

It was this single act of courage that served as the catalyst for the Montgomery bus boycott of 1955 and the U.S. Supreme Court's eventual declaration that bus segregation was unconstitutional. By her quiet defiance, Rosa Parks laid the foundation of the peaceful resistance movement for American civil rights.

Today, the House has honored Rosa Parks's place in the history of our nation by authorizing the minting of a Congressional Gold Medal to be presented to her. I am proud to support this tribute to a great American who continues her quiet struggle for racial and social harmony.

Mr. DAVIS of Illinois. Mr. Speaker, on December 1, 1955, Rosa Parks sat down for justice, sat down for righteousness, and then she would not get up when faced with tyranny and

oppression. In this immortal act, refusing to give her seat to a white man, she inspired the oppressed masses of minorities in America to reach for what America owed them. Ms. Parks also inspired a modern American myth that has allowed generations of children to aim higher, to reach for something better, and to believe that justice is possible for all people. This myth allows children and grown folk to believe that, maybe, all men are created equally. This woman inspired children from Soweto to Tibet, from Turkey to Columbia, and she still inspires children from Harlem to Watts, from Austin to Minneapolis, and from Chicago's west side to the south side and up to the north side.

Martin Luther King, Jr., while standing on the Mall of America in our Nation's Capitol said, ''We refuse to believe that the bank of justice is bankrupt . . . So we have come to cash this check, a check that will give us upon demand the riches of freedom and security of justice.'' Now we, as Members of Congress, we are voting to cash a check and give a poor black woman from Montgomery, Alabama, a Congressional Gold Medal. Because she helped America realize that injustice permeated the land, realize that African-Americans would no longer accept the repeated abuse and inequity that went with their supposed life. Because she helped a nation realize we can only be as great as our most oppressed citizens. Because she was a catalyst for the greatest civil rights change in this Nation's history.

In the later years, the struggle progressed and spread this great nation, those who followed her path of civil disobedience while fighting for justice looked to her for strength and for inspiration. If Rosa Parks could go to jail for justice then so could they, and the jails across the southern States filled to the bursting point with people demanding equality. By awarding this medal today we bestow a rightful honor owed, an honor required, and an honor that is overdue.

It is high time we added Rosa Parks to the Pantheon of American heroes along Robert Kennedy, George Washington, and Nelson Mandela and this medal does just that. By awarding this medal we let the world know the bank of justice and righteousness is no longer returning checks to African-Americans marked as ''insufficient funds,'' but we are on the road to distributing the dividends of justice and equality for all.

Mr. VISCLOSKY. Mr. Speaker, today, led by a remarkable woman, Congresswoman JULIA CARSON, we honor the actions of another remarkable woman, Mrs. Rosa Parks. Congresswoman CARSON has worked tirelessly to insure that Mrs. Parks receives a Congressional Gold Medal, a distinction reserved for only the most heroic individuals who have affected change on a grand scale. It is particularly fitting that Mrs. Parks receive this award, since through her simple action, refusing to give up her seat on a crowded Montgomery bus, she affected the modern history of the most powerful nation in the world. However, Mrs. Parks is not only the Mother of the Civil Rights Movement, she is one of its current guardians, and I believe that in honoring her most well-known deeds, we must honor the other contributions she has made as well.

Another leader who refused to see people stripped of the dignity and self-respect they deserve, Mahatma Ganhi, once said that. ''Whatever you do, however small and insignificant it may seem, it is most important that you do it.'' Mrs. Parks' actions, and the enormous ramifications her small action has had, are a perfect example of the importance each individual must put in their own endeavors. Mrs. Parks' actions since that fateful day in Montgomery have helped many people reach their full potential. Although her leadership in the Montgomery bus boycott made her famous, her subsequent 33 years of work as a member of Congressman CONYERS' staff also made a real impact on the lives of others. In fact, Mrs. Parks has spent her whole life, not merely one day in 1955, providing an example for all of us of the difference one person can make.

In 1987, Mrs. Parks founded the nonprofit Rosa and Raymond Parks Institute for Self-Development, which motivates youth to reach their potential through many programs, including bank training, substance-abuse prevention and goal setting. The institute she founded is not designed to organize a mass rebellion or spark a sense of outrage in the children it reached. Instead, Mrs. Park believes that spending time with children, giving them a good sense of their history and the pride they should have in it can affect real change. She spends a good deal of her time teaching the children she works with about the contributions of Africans in America, she sets the record straight about events during the civil rights movement with the expertise of someone who knows. The program she designed emphasizes pride, dignity, courage, leadership, and the importance of marketable skills. The institute's most well-known program, Pathway to Freedom, enables youth to research history around the country—by bus—tracing the underground railroad. Mrs. Parks teaches kids, ages 11–17, about the Underground Railroad that carried slaves through a secret route of wooded hideouts and safe houses to freedom in Canada. She given them the opportunity to participate in a month-long tour of those ''Pathways to Freedom.''

An example of personal responsibility who cleaned the bathrooms in her private school to pay for her own tuition, Mrs. Parks also passes this empowering sense of self on to the children with which she works. Awarding Mrs. Parks the Congressional gold Medal not only honors her stand, so to speak, in 1955, it also honors the many contributions she has made since then. Congresswoman CARSON'S tribute to Mrs. Parks reflects her understanding of the importance the leadership of African-American women has on the nation.

Mr. JACKSON of Illinois. Mr. Speaker, I rise in strong support of H.R. 573, a bill to award a Congressional gold medal to Ms. Rosa Parks.

As the 91st African-American Member of Congress, I stand on the shoulders of Ms. Rosa Parks and the other mothers, martyrs, and soldiers of the struggle to create a more perfect Union.

On December 1, 1955, a weary seamstress in Montgomery refused to give up her seat on the public bus to a white man for the long ride home. She was just too plain tired. By her simple yet significant act of defiance, Ms. Parks struck a mighty blow against the states' rights philosophy that justified Jim Crow American Apartheid, and helped set the nation back on the course of Reconstruction.

Ninety years after the end of the Civil War, her actions were the catalyst for the sweeping and revolutionary changes that culminated in some of the most significant legislation to ever pass the House of Representatives: The Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

In fact, my election to Congress, and the elections of every African-American serving in Congress, can all be directly attributed to her courage on that fateful day.

But if we are to honor Ms. Rosa Parks for her courageous actions on that bus in Montgomery, surely we must also honor her for the life of activism that led up to that event. Ms. Parks was as a familiar participant in the civil rights struggle long before that bus ride.

Through the forties and fifties, she served as an active and vocal member of the NAACP. She joined the Montgomery Voters League, and was active in registering others to vote well before her 44 years of fame began.

Mr. Speaker, Members of the House, as we add our names to the litany of those who have paid tribute to the legacy Ms. Parks has created, let us also recognize the larger significance of her acts.

The true legacy for all Americans in the beginning of the Montgomery bus boycott is the years of hard work, perseverance, preparation, and faith that preceded that moment.

Mr. Speaker, Honorable Members of the House, Rosa Parks did not make history by refusing to give up her seat on a bus in downtown Montgomery in 1955; she made history by preparing herself to stand and be counted long before the spotlight was cast on her weary feet.

She is a model citizen of this nation. And it is the entirety of her actions and the singularity of her purpose—a freer and more just nation—that we ought honor here today. Even more, we ought to continue to work in her legacy by striving to deliver on the constitutional promise of a more perfect Union, a Union in which no American is left behind.

Ms. Parks, on behalf of myself, my staff and the constituents of the Second District of Illinois, I thank you for all of the sacrifices you made for the United States of America.

Mr. RUSH. Mr. Speaker, I rise today in support of legislation to award a Congressional Gold Medal to Rosa Parks.

Occasionally in our nation's history there are pivotal moments and indispensable individuals that move America away from its divisive past and closer to its imagined promise. December 1, 1955, produced such a moment and such a person.

Rosa Parks grew up in segregation. Every day she was forced to deal with the violation of America's constitutional guarantees. On December 1, 1955, this American woman, exacted of this country the freedom and equality the Constitution promises.

Tired, like most citizens after a hard day's work, Rosa Parks refused to obey a shameful law that required her to sit at the back of a Montgomery, AL, bus. Her actions set the stage for the civil rights movement of a people who were unfairly and unjustly living under racist law.

Because of this brave American woman, segregation laws around the nation began to crumble and our nation began to respond to the call for African-American equality. Because of her invaluable contribution to our nation, every American lives better lives today. For that reason, it is quite appropriate that Mrs.

Rosa Parks receive the Congressional Gold Medal.

But I must add Mr. Speaker, that today, our nation continues to call for equality and freedom. There are still issues in our America that were issues in 1955. There are still Americans who do not enjoy the promises enumerated in the constitution. So, if we are to truly honor this great woman, we must do so, not only with a Gold Medal, but also with actions that further her purpose. We must all become individuals working to end the discrimination and inequalities that exist in our great nation.

I urge my colleagues to support this legislation and honor the mother of the civil rights movement, Mrs. Rosa Parks.

Mr. PAUL. Mr. Speaker, I rise today in opposition to H.R. 573. At the same time, I rise in great respect for the courage and high ideals of Rosa Parks who stood steadfastly for the rights of individuals against unjust laws and oppressive governmental policies. However, I oppose the Congressional Gold Medal for Rosa Parks Act because authorizing $30,000 of taxpayer money is neither constitutional nor, in the spirit of Rosa Parks who is widely recognized and admired for standing up against an overbearing government infringing on individual rights.

Because of my continuing and uncompromising opposition to appropriations not authorized within the enumerated powers of the Constitution, I must remain consistent in my defense of a limited government whose powers are explicitly delimited under the enumerated powers of the Constitution—a Constitution, which only months ago, each Member of Congress, swore to uphold.

Perhaps we should begin a debate among us on more appropriate processes by which we spend other people's money. Honorary medals and commemorative coins, under the current process, come from allocated other people's money. We should look for another way.

It is, of course, easier to be generous with other people's money.

Mr. LAFALCE. Mr. Speaker, I offer my enthusiastic support to H.R. 573, a bill to authorize the President of the United States to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contribution to the nation.

In recent years, the Congress has bestowed this important honor to Nelson Mandella, Mother Theresa and Frank Sinatra. In their own way, each of these individuals has made significant social contributions. Moving beyond their basic roles as a political figure, a nun, and a musician, these Congressional Medal recipients have, by deed and example, influenced history.

The life of Rosa Parks and her heroic act of defiance on a Montgomery, Alabama bus on December 1, 1955, have forever changed history for millions of Americans. Few Americans can be more deserving of the Congressional Gold Medal. Rosa Parks's contribution to our society goes far beyond what she did one day in Montgomery, Alabama. From that day on, Rosa Parks has spent her life fighting for equity and justice, including her roles as the founder of the Rosa and Raymond Parks Institute for Self-Development to offer guidance to young African-Americans in preparation for leadership careers.

Having recently celebrated her 86th birthday, Rosa Parks deserves the thanks of the American public for decades of dedication to the cause of racial equality. By her own admission, the ''mother of the civil rights movement'' is still uncomfortable with the accolades she has received over the years. In remains, however, our obligation as the elected representatives of our nation to single out those among us who deserve special recognition as role models for our society. Today, we have such an opportunity. By supporting the resolution before us we honor the principles that are the foundation of the American democracy.

I am pleased to cast an ''aye'' vote on the legislation before us and honor a most deserving recipients of the Congressional Gold Medal.

Mr. DIXON. Mr. Speaker, I rise to join my colleagues in honoring Mrs. Rosa Parks. As we approach the millennium, it is fitting that we bestow the Congressional gold medal on a woman whose simple, but profound response to unfairness marked a defining moment in our American century.

I offer the words of another of this century's courageous Americans as a tribute to Rosa Parks. As he accepted the Nobel Peace Prize, Reverend Dr. Martin Luther King, Jr. had this to say:

''I [have] an abiding faith in America and an audacious faith in the future of mankind. I refuse to accept despair as the final response to the ambiguities of history. I refuse to accept the idea that the 'isness' of man's present nature makes him morally incapable of reaching up for the eternal 'oughtness' that forever confronts him. I refuse to accept the idea that man is mere flotsam and jetsam in the river of life, unable to influence the unfolding events which surround him.''

Mrs. Parks' courage to reach up for the ''oughtness'' before her continues half a century later to inspire others who refuse to accept the ''ambiguities of history.'' Mrs. Parks, we thank you for your profound contribution to our nation.

Ms. STABENOW. Mr. Speaker, I would like to join my colleagues in recognizing Rosa Parks, whom by her brave action became a catalyst in the Civil Rights Movement. When Rosa Parks refused to give up her seat on a Montgomery bus on December 1, 1995, no one realized the national impact her actions would have. Rosa Parks was simply one courageous woman who did what she believed was fair and right. She is a testament to the power of one individual willing to fight for her beliefs.

''Ms. Parks' actions set the Civil Rights Movement in motion and set a precedence for protest without violence. I would like to thank Rosa Parks for her contribution to freedom and justice for all men and women in this country. Her actions changed the course of history. Today Rosa Parks will take her rightful place among the legends of history when Congress presents her with the Congressional Medal of Honor.''

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in tribute to Rosa Parks and in support of a bill introduced by Congresswoman JULIA CARSON of Indiana to authorize President Clinton to award the Congressional Gold Medal to Rosa Parks.

Rosa Parks was the spark that lit the fire in the civil rights rights movement. In 1955, in Montgomery, Alabama Ms. Parks refused to give up her bus seat to a white man. She was arrested and ordered to pay $14. Her actions led other civil rights leaders to protest bus desegregation creating a city-wide boycott. Martin Luther King, Jr. became a household name when he became involved in the boycott by preaching to others about the injustice of the bus segregation policy.

Ms. Parks continued to be a national civil rights leader even after the success of the bus boycott. She lectured about the civil rights movement and attended demonstrations. She worked for Congressman JOHN CONYERS of Detroit, Michigan until 1988.

Congress should recognize Ms. Parks for her actions that defied the policies of separation and humilitation. Through this legislation, Congress should salute Ms. Parks for her current work in combating racism at the Rosa and Raymond Parks Institute of Self Development which teaches young people about the legacy of the civil rights movement.

Because of Rosa Parks' courage, I stand before you here today. Because of her courage, America is a stronger nation.

I am proud to be an original cosponsor of this legislation. I am proud to serve in a Congress that recognizes the importance of the civil rights movement and is willing to honor a woman who ushered in the movement. Our past should not be forgotten and our heroines should be honored.

I hope that this legislation will serve to bring America together. That is Ms. Parks' legacy.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 573, as amended.

The question was taken.

Ms. WATERS. 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. BACHUS. 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. 573.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

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

ALLOWING FOR CONTRIBUTIONS OF CERTAIN ROLLOVER DISTRIBUTIONS TO ACCOUNTS AND ELIMINATING CERTAIN WAITING-PERIOD REQUIREMENTS FOR PARTICIPATING IN THRIFT SAVINGS PLAN

Mr. SCARBOROUGH. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 208) to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes, as amended.

The Clerk read as follows:

H.R. 208

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

SECTION 1. ELIGIBLE ROLLOVER DISTRIBUTIONS.

(a) IN GENERAL.—Section 8432 of title 5, United States Code, is amended by adding at the end the following:

''(j)(1) For the purpose of this subsection—

''(A) the term 'eligible rollover distribution' has the meaning given such term by section 402(c)(4) of the Internal Revenue Code of 1986; and

''(B) the term 'qualified trust' has the meaning given such term by section 402(c)(8) of the Internal Revenue Code of 1986.

''(2) An employee or Member may contribute to the Thrift Savings Fund an eligible rollover distribution from a qualified trust. A contribution made under this subsection shall be made in the form described in section 401(a)(31) of the Internal Revenue Code of 1986. In the case of an eligible rollover distribution, the maximum amount transferred to the Thrift Savings Fund shall not exceed the amount which would otherwise have been included in the employee's or Member's gross income for Federal income tax purposes.

''(3) The Executive Director shall prescribe regulations to carry out this subsection.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2000, or such earlier date as the Executive Director (as defined by section 8401 of title 5, United States Code) may by regulation prescribe, but not before September 1, 2000.

SEC. 2. IMMEDIATE PARTICIPATION IN THE THRIFT SAVINGS PLAN.

(a) ELIMINATION OF CERTAIN WAITING PERIODS FOR PURPOSES OF EMPLOYEE CONTRIBUTIONS.—Paragraph (4) of section 8432(b) of title 5, United States Code, is amended to read as follows:

''(4) The Executive Director shall prescribe such regulations as may be necessary to carry out the following:

''(A) Notwithstanding subparagraph (A) of paragraph (2), an employee or Member described in such subparagraph shall be afforded a reasonable opportunity to first make an election under this subsection beginning on the date of commencing service or, if that is not administratively feasible, beginning on the earliest date thereafter that such an election becomes administratively feasible, as determined by the Executive Director.

''(B) An employee or Member described in subparagraph (B) of paragraph (2) shall be afforded a reasonable opportunity to first make an election under this subsection (based on the appointment or election described in such subparagraph) beginning on the date of commencing service pursuant to such appointment or election or, if that is not administratively feasible, beginning on the earliest date thereafter that such an election becomes administratively feasible, as determined by the Executive Director.

''(C) Notwithstanding the preceding provisions of this paragraph, contributions under paragraphs (1) and (2) of subsection (c) shall not be payable with respect to any pay period before the earliest pay period for which such contributions would otherwise be allowable under this subsection if this paragraph had not been enacted.

''(D) Sections 8351(a)(2), 8440a(a)(2), 8440b(a)(2), 8440c(a)(2), and 8440d(a)(2) shall be applied in a manner consistent with the purposes of subparagraphs (A) and (B), to the extent those subparagraphs can be applied with respect thereto.

''(E) Nothing in this paragraph shall affect paragraph (3).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Section 8432(a) of title 5, United States Code, is amended—

(A) in the first sentence by striking ''(b)(1)'' and inserting ''(b)''; and

(B) by amending the second sentence to read as follows: ''Contributions under this subsection pursuant to such an election shall, with respect to each pay period for which such election remains in effect, be made in accordance with a program of regular contributions provided in regulations prescribed by the Executive Director.''.

(2) Section 8432(b)(1)(B) of title 5, United States Code, is amended by inserting ''(or any election allowable by virtue of paragraph (4))'' after ''subparagraph (A)''.

(3) Section 8432(b)(3) of title 5, United States Code, is amended by striking ''Notwithstanding paragraph (2)(A), an'' and inserting ''An''.

(4) Section 8439(a)(1) of title 5, United States Code, is amended by inserting ''who makes contributions or'' after ''for each individual'' and by striking ''section 8432(c)(1)'' and inserting ''section 8432''.

(5) Section 8439(c)(2) of title 5, United States Code, is amended by adding at the end the following: ''Nothing in this paragraph shall be considered to limit the dissemination of information only to the times required under the preceding sentence.''.

(6) Sections 8440a(a)(2) and 8440d(a)(2) of title 5, United States Code, are amended by striking all after ''subject to'' and inserting ''this chapter.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on October 1, 2000, or such earlier date as the Executive Director (as defined by section 8401 of title 5, United States Code) may by regulation prescribe, but not before September 1, 2000.

(2) SAVINGS PROVISION.—Notwithstanding any other provision of this section, until the amendments made by this section take effect, title 5, United States Code, shall be applied as if this section had not been enacted.

SEC. 3. ADDITIONAL GOVERNMENT CONTRIBUTIONS FOR RETIREMENT.

(a) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8423(a) of title 5, United States Code, is amended by adding at the end the following:

''(5) Notwithstanding any other provision of this chapter, effective with respect to contributions for pay periods beginning on or after October 1, 2000, the normal-cost percentage used for purposes of any computation under this subsection shall be equal to—

''(A) the percentage that would otherwise apply if this paragraph had not been enacted, plus

''(B) .01 of 1 percentage point.''.

(b) SUPPLEMENTAL LIABILITY.—For purposes of applying section 8423(b) of title 5, United States Code, and section 857(b) of the Foreign Service Act of 1980 (22 U.S.C. 4071f(b)), all amounts shall be determined as if this section had never been enacted.

(c) LIMITATION ON SOURCE OF ADDITIONAL CONTRIBUTIONS.—Notwithstanding section 8423(a)(3) of title 5, United States Code, or any other provision of law, the additional Government contributions required to be made by reason of the amendment made by subsection (a) shall be made out of any amounts available to the employing agency involved, other than any appropriation, fund, or other amounts available for the payment of employee salaries or benefits.

(d) CONFORMING AMENDMENT.—Section 307 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 5 U.S.C. 8401 note) is amended by inserting '', including the additional amount required under section 8423(a)(5)(B) of such title 5,'' after ''Federal Employees' Retirement System''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SCARBOROUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 208.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 208. H.R. 208 would achieve two worthwhile objectives. First, it would allow newly hired Federal employees to begin contributing their own money to the Thrift Savings Plan, the Federal Government's 401(k) plan, almost immediately. Second, Federal employees would be able to consolidate their retirement funds in the Thrift Savings Plan.

I believe the policy underlying H.R. 208 is sound. I commend the gentlewoman from Maryland (Mrs. MORELLA) for introducing this legislation and for all of her hard work to advance this bill.

I also would like to thank the distinguished gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Subcommittee on Civil Service, for his strong support for this legislation. I thank the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform and Oversight, and the gentleman from California (Mr. WAXMAN) for expediting this very important legislation.

Mr. Speaker, in light of all the uncertainty surrounding Social Security, Congress should encourage everyone, including Federal employees, to assume more responsibility for their own retirement. H.R. 208 does exactly that.

According to the Congressional Research Service, each $1,000 employees contribute their first year will increase their Thrift Savings Plan balances after a 30-year career by almost $19,000. That is assuming a 10 percent rate of return, which is very good. It is a very good incentive to save.

Finally, Mr. Speaker, the gentlewoman from Maryland (Mrs. MORELLA) and I have been working closely together to help offset and pay for this benefit, and I greatly appreciate her cooperation in this process. As a result of this work, H.R. 208 fully offsets the cost of this benefit without raising taxes on the American people.

I encourage all Members to support this very important bill.

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

□ 1530

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

Mr. Speaker, I commend my colleague, the gentlewoman from Maryland (Mrs. MORELLA), for sponsoring H.R. 208. I also want to thank our subcommittee chairman, the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from Indiana (Mr. BURTON), the full committee chairman, and certainly our ranking member, the gentleman from California (Mr. WAXMAN), for bringing this bill up so quickly.

H.R. 208 makes significant reforms in the Thrift Savings Plan. This bill contains proposals that are contained in President Clinton's fiscal year 2000 budget. It would permit new Federal employees to begin contributing to their TSP immediately rather than waiting a year, as required under current law, and would let Federal employees transfer balances from other tax deferred savings plans, including private sector 401(k) accounts, to their TSP accounts.

Early participation in the Federal Employees Retirement System, particularly in the Thrift Savings Plan, is critical if an employee is going to maximize the amount of savings earned for his retirement.

The importance of saving for one's retirement is more evident to me as the Subcommittee on Civil Service of the Committee on Government Reform considers legislation to offer long-term care insurance as a benefit option to Federal and postal employees and military personnel and retirees. A study released at the beginning of this month shows that baby boomers are concerned about their retirement security, but are not saving adequately for their long-term care needs. H.R. 208 is one initiative that will help the Federal work force save money for their golden years.

At the full committee markup of this bill, the Republicans offered an amendment to pay for the cost of the legislation by requiring agencies to divert money from their already hard-pressed salaries and expense accounts into the Civil Service Retirement and Disability Trust Fund. The Democrats strongly opposed this provision and worked in a swift and bipartisan manner to formulate an acceptable alternative that would require agencies to pay for the cost, but prohibit them from using salaries and benefit accounts for this purpose.

I support this prohibition, Mr. Speaker, because Federal employees have been squeezed enough. Inadequate pay raises, increasing costs in health insurance premiums, and the constant threat of layoffs and contracting out have caused serious problems in Federal agencies. Enough is enough.

I am pleased now to be able to support this legislation because it helps Federal employees save for their retirement and removes the possibility that any of them would have to lose their jobs to pay for it.

Again, I congratulate the gentlewoman from Maryland (Mrs. MORELLA), my colleague, and I urge all Members to join me in supporting this legislation.

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

Mr. SCARBOROUGH. Mr. Speaker, I yield 5 minutes to the gentlewoman from Maryland (Mrs. MORELLA), who is, of course, a great champion of Federal employees and who is the architect of this bill.

Mrs. MORELLA. Mr. Speaker, I thank the chairman of the subcommittee for yielding me this time, and I am really delighted this important legislation is coming before the House today.

I certainly want to thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON), the chairman of the Subcommittee on Civil Service, the gentleman from Florida (Mr. SCARBOROUGH), as well as the committee's ranking minority member, the gentleman from California (Mr. WAXMAN), and of course we have just heard from the subcommittee's ranking minority member, the gentleman from Maryland (Mr. CUMMINGS), my colleague, for all their strong support throughout.

Mr. Speaker, when I thank my colleagues I know that I also speak for the thousands of Federal employees with whom I have met and who have written and called my office and the offices of others in support of this legislation.

This legislation would bolster two critical components of Federal employees' retirement benefits, the Thrift Savings Plan. The Thrift Savings Plan is critical for all Federal employees but is particularly important for those employees hired in the last decade who, under the Federal Employees Retirement System, receive smaller civil service benefits and need to invest more to enhance their retirement income.

Currently, employees can elect to begin contributing to the TSP only during two semiannual election periods that are established by law. Newly hired employees are first eligible to participate during the second election period after being hired. Now, what that means is that these employees must wait from 6 to 12 months, depending upon their dates of hire, before they may contribute their own funds.

Allowing employees to begin contributing to the Thrift Savings Plan immediately makes it more likely that employees will get into or continue the habit of saving for retirement through payroll deduction. Early saving is especially important in order to maximize the effect of compound earnings and to take full advantage of the benefit of pretax savings accorded to tax deferred retirement plans.

This bill would eliminate all waiting periods for employee contributions to the TSP for new hires and rehires. Employees who are hired or rehired would be eligible to contribute their own funds immediately.

Further, ensuring the portability of retirement savings is important because portable retirement savings can follow employees as they change jobs. It also would preserve the special tax status accorded to these funds. So while the Internal Revenue Code currently allows transfers of retirement savings between 401(k) plans, such transfers are not authorized for the Thrift Savings Plan. There is no justification for this limitation.

H.R. 208 would authorize employees to transfer funds from certain tax deferred savings plans from a previous job to their TSP accounts. The funds so transferred would be subject to the rules governing the plan which accepts the transfer.

Mr. Speaker, during the committee markup of H.R. 208, I offered an amendment in the nature of a substitute to this bill to provide offsets to the anticipated decrease in Federal Government general tax revenues that would result from employees taking advantage of the benefits offered by H.R. 208. Because H.R. 208 would eliminate all waiting periods for employee contributions to the TSP for new hires and rehires, it is estimated that about 400,000 employees hired over the 1999–2003 period would participate in the TSP. As a result, the Federal Government would forgo tax revenues over that period, 1999–2003.

The amendment I offered will provide funding to compensate the Federal Government for these lost revenues. And I want to make it clear, this amendment does not require agencies to use any of their salary and expense account funding to accomplish these goals. In fact, it makes clear that they may not use funding intended for employees' salary and expense accounts for those expenses. The amendment assures Federal employees that the legislation is designed to improve benefits for Federal employees, and it will not unintentionally result in furloughs or reductions in force at Federal agencies.

In closing, Mr. Speaker, I want to stress that H.R. 208 is a sensible way to encourage Federal employees to take personal responsibility and increase their savings for retirement, something we want all Americans to do. I urge my colleagues to join me in supporting this important measure, and again I thank the committee chair, the ranking member, the subcommittee chair, the gentleman from Florida (Mr. SCARBOROUGH), and the ranking member, the gentleman from Maryland (Mr. CUMMINGS), for their support throughout the way.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), my distinguished colleague who has constantly been at the forefront of protecting the rights of Federal employees, and who has been constantly sensitive to their needs and their concerns.

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

Mr. HOYER. Mr. Speaker, I thank the distinguished ranking member, my colleague, the gentleman from Maryland (Mr. CUMMINGS), for his kind comments and for his leadership on this bill, and in particular for his leadership on ensuring the fact that we did not rob from Peter to pay Paul as it related to employee pay and benefits.

I also want to thank the gentleman from Florida (Mr. SCARBOROUGH), the distinguished chairman of the subcommittee, for his leadership in facilitating this bill to the floor. He is motioning that Mr. Nesterczuk made him do it, but for whatever reasons, he did it. We are pleased; I want him to know that.

I also want to take the opportunity to congratulate my colleague, the gentlewoman from Maryland (Mrs. CONNIE MORELLA), who, as the gentleman from Florida (Mr. SCARBOROUGH) said, is always in the forefront of advocating on behalf of our Federal employee work force.

Mr. Speaker, I would simply add this. The bill has been explained by the gentlewoman from Maryland (Mrs. MORELLA) herself, the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from Maryland (Mr. CUMMINGS), and many Members on this floor talking about the necessity to recruit and retain good people. This will be a major recruitment tool, in my opinion, for the Federal Government because it will give the ability to Federal employers to say that first of all its employees can transfer whatever savings they now have in a 401(k) or similarly situated program from a tax standpoint and switch that into the Thrift Savings Plan.

The Thrift Savings Plan, which, by the way, was the creation of Senator TED STEVENS from Alaska and Congressman Bill Ford from Michigan, has been an extraordinarily good program for Federal employees. It was created in 1984 and took effect in 1987 as the integrated retirement system that we now have dealing with retirement and Social Security and the Thrift Savings Plan. Those three components now make up a Federal employees retirement benefit package.

So not only will we allow them to put their money in from previous programs, but in addition to that, we will let them do so from the very beginning of their employment. I think that is a critical aspect of this legislation. I think it will be an incentive for employees to come on board; and I congratulate the committee for bringing this legislation to the floor and will certainly support it enthusiastically.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. ELEANOR HOLMES NORTON).

We are very pleased, Mr. Speaker, at this point to recognize my distinguished colleague from the District of Columbia, and a member of our subcommittee who, too, has been at the forefront of protecting the rights of Federal employees, and one who has put forth her own legislation from time to time to make sure that those rights are protected. I am just so glad that she is on our subcommittee because she makes sure that we keep an institutional memory of the things that we should have been doing for Federal employees and the things that we must do.

Ms. NORTON. Mr. Speaker, I thank the gentleman from Maryland for his very kind remarks and for yielding me this time, and I congratulate him for his consistent hard work and vigilance on behalf of Federal employees, especially for his particular contribution to this bill and seeing how it was paid for.

I congratulate the gentlewoman from Maryland for writing this bill, and the gentleman from Florida (Mr. SCARBOROUGH) for his hard work in making sure that the bill was shaped in a bipartisan manner and reached the floor here today.

Mr. Speaker, this bill is, first and foremost, a richly deserved benefit for Federal employees who have fallen way behind the private sector in state-of-the-art benefits, but it has a more important implication for the Federal Government itself.

Mr. Speaker, the Federal Government seems not to have heard that there is a labor shortage out there, and it is a shortage that goes from the top to the bottom of the work force.

There is a fierce competition for labor at all levels. The Federal Government has literally not joined this competition. It is as if this were 1960, when college graduates and skilled workers automatically gravitated to Federal employment. That has not been the case now for a long time, and it is going to show in our Federal work force. Therefore, the implications of this bill are larger than the modest benefit it provides to our employees in eliminating the waiting period for when an employee can make a contribution to the Thrift Savings Plan and in allowing transfers from a 401(k) savings account.

A way to understand the importance of this bill, if we mean to attract good people to work for the Federal Government, is to imagine an employee looking around among her options and seeing that she could not transfer her 401(k), and seeing that she would have a 6-to-12-month break in engaging in tax-exempt savings herself. It seems to me she might well move on to almost any large employer today where we will find such benefits to be state-of-the-art. There are plenty of alternatives. No large, smart employer would fail to have comparable benefits to those which this bill modestly affords.

□ 1545

Social Security is the most important issue facing the 106th Congress. The President and the Republican majority together are encouraging private savings and investment. If we are serious about encouraging Americans to engage in private saving and our savings are at a low point, then it is time we took care of home first, and the Thrift Savings Account is the place to begin.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Maryland (Mr. CUMMINGS) has 10½ minutes remaining, and the gentleman from Florida (Mr. SCARBOROUGH) has 12½ minutes remaining.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume. We have no additional speakers.

In summary, Mr. Speaker, I am very, very pleased that this legislation is before us. I think it sends a very strong statement to our Federal employees and those who are considering possibly coming into the Federal Government, and that is that the Congress of the United States of America cares about them and cares about their security in retirement.

Mr. Speaker, I just urge all of my colleagues to vote for this very, very important legislation.

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

Mr. SCARBOROUGH. Mr. Speaker, I yield myself the balance of my time.

H.R. 208 is a sound bill, and it is fully paid for. Once again, I want to commend the gentlewoman from Maryland (Mrs. MORELLA) for her hard work on this bill, as well as the gentleman from Maryland (Mr. CUMMINGS), the ranking member, and I urge all Members to support it.

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 Florida (Mr. SCARBOROUGH) that the House suspend the rules and pass the bill, H.R. 208, 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.

CONDEMNING MURDER OF ROSEMARY NELSON AND CALLING FOR PROTECTION OF DEFENSE ATTORNEYS IN NORTHERN IRELAND

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 128) condemning the murder of human rights lawyer Rosemary Nelson and calling for the protection of defense attorneys in Northern Ireland, as amended.

The Clerk read as follows:

H. RES. 128

Whereas on September 29, 1998, Rosemary Nelson, a prominent defense attorney in Northern Ireland, who testified before the

Subcommittee on International Operations and Human Rights of the Committee on International Relations of the House of Representatives, stated that she had been harassed and intimidated by the Northern Ireland police force, the Royal Ulster Constabulary (RUC) in her capacity as a defense attorney, and that she had been ''physically assaulted by a number of RUC officers'' and that the difficulties with the RUC included ''at their most serious, making threats against my personal safety including death threats'';

Whereas Param Cumarswamy, the United Nations Special Rapporteur on the independence of judges and lawyers, also testified before the Subcommittee on International Operations and Human Rights citing the grave dangers faced by defense attorneys in Northern Ireland and stated that ''there have been harassment and intimidation of defense lawyers by RUC officers'' and that ''these harassments and intimidation were consistent and systematic'';

Whereas the United Nations Special Rapporteur recommended that authorities other than the RUC conduct ''an independent and impartial investigation of all threats to legal counsel in Northern Ireland'' and ''where there is a threat to physical integrity of a solicitor'' the ''Government should provide necessary protection'';

Whereas Northern Ireland's Independent Commission for Police Complaints (ICPC) reported ''serious concerns'' about the RUC's handling of the inquiry into the death threats Rosemary Nelson received and described the RUC officers investigating the death threats as ''hostile, evasive and disinterested'' and also noted an ''ill-disguised hostility to Mrs. Nelson on the part of some police officers'';

Whereas the government, which provided protection for Northern Ireland judges after paramilitary violence resulted in the death of four judges and some family members, should also provide appropriate protection for defense attorneys;

Whereas despite the threats and the intimidation, Rosemary Nelson courageously continued to represent the rights of Catholic clients in high profile cases, including the residents of Garvaghy road in their bid to stop controversial marches in their neighborhood and the family of Robert Hamill who was beaten to death by a sectarian mob in 1997;

Whereas, because of her human rights work, Northern Ireland solicitor Rosemary Nelson, the mother of three young children, suffered the ultimate harassment and intimidation and was brutally murdered on March 15th, 1999, by a bomb placed on her car;

Whereas all those involved in the targeting and killing of defense attorney Rosemary Nelson, including the Red Hand Defenders, a militant loyalist paramilitary group that is opposed to the peace process and that has claimed responsibility for the murder, must be brought to justice;

Whereas the success of the peace process is predicated on the ability of the people of Northern Ireland to believe that injustices such as the murder of Rosemary Nelson will be investigated thoroughly, fairly, and transparently;

Whereas the murder of Rosemary Nelson is reminiscent of the 1989 murder of human rights attorney Patrick Finucane, who, according to the United Nations report, had also received numerous death threats from RUC officers;

Whereas the United Nations Special Rapporteur reported that since the Patrick Finucane murder, further information that seriously calls into question whether there was official collusion has come to light; and

Whereas Rosemary Nelson's stated fear of the RUC, the recent release of Northern Ireland's Independent Commission for Police Complaints (ICPC) report, and the United Nations report, all necessitate the establishment of an independent inquiry into Rosemary Nelson's murder in order to foster confidence and credibility in this investigation as well as the peace process: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the historic significance of the 1998 Good Friday Peace Accords and commends the people of Northern Ireland for their commitment to work together in peace;

(2) condemns all violence committed in violation of the Northern Ireland cease-fire agreement, an agreement that has been largely successful; and

(3) calls on the Government of the United Kingdom—

(A) to launch an independent public inquiry for the investigation of the murder of defense attorney Rosemary Nelson so that evidence gathering, witness interviews, and the issuance of a detailed, public report can be based on the work of law enforcement experts not connected to or reliant upon the efforts of the Royal Ulster Constabulary (RUC);

(B) to institute an independent judicial inquiry into allegations that defense attorneys are systematically harassed and intimidated by security forces; and

(C) to implement the United Nations Special Rapporteur's recommendation for an independent inquiry into the possibility of collusion in the killing of defense attorney Patrick Finucane.

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

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 128.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker I want to thank the gentleman from New Jersey (Mr. SMITH), the gentleman from New York (Mr. KING), the gentleman from Connecticut (Mr. GEJDENSON), the gentleman from New Jersey (Mr. PAYNE), the gentleman from New Jersey (Mr. MENENDEZ), the gentleman from New York (Mr. CROWLEY), and all those on both sides of the aisle for working together on this bipartisan resolution on the murder of Rosemary Nelson in Northern Ireland that is now before us. It passed without objection last week in our committee because we all know what is at stake here, the very integrity of the Northern Ireland peace process.

On March 15, in Lurgan, Northern Ireland, Rosemary Nelson, prominent Northern Ireland solicitor who had long defended nationalists, Catholics, as well as having represented the nearby Drumcree nationalist community in the controversy over forced Orange Order triumphant marches through their neighborhoods, was murdered. In a brutal, cowardly, and professionally done car bomb near her home, this mother of three lost both her legs from the bomb and died shortly thereafter in the hospital.

A loyalist group, the Protestant Red Hand Defenders, claimed credit for this cowardly terrorist act. Mrs. Nelson was killed solely because she was engaged in advocacy and providing vital legal counsel to many of those who have little faith in a unionist dominated society, and especially the police service, RUC, many fear and want disbanded.

Just late last September, Mrs. Nelson, who had faced numerous threats on her life because of her advocacy and feared the local police as much as the loyalist killers, testified before our House Committee on International Relations.

Mrs. Nelson told our committee of her hope in our committee room that, as a solicitor engaged in representing her clients, many of whom were nationalists, and I quote, ''The test of a new society in Northern Ireland will be to the extent to which it can recognize and can respect our role and enable me to discharge it without proper interference. I look forward to that day,'' said Mrs. Nelson.

The day, sadly, is not yet here. And the resolution before us is intended to help hasten that day. The British Government must establish a completely independent inquiry into Mrs. Nelson's tragic murder and publicly report its findings. The trust and support of all of the people of Northern Ireland in any inquiry into Mrs. Nelson's death is essential.

It is now more important than ever that change must come, and the old ''business as usual'' is not what the nationalist community needs to see in the new north of Ireland. Covering up possible police abuse and negligence is not the way to build lasting peace and justice in Northern Ireland.

What we need to see is an overall independent inquiry into the intimidation of defense lawyers in Northern Ireland, as the U.N. Special Rapporteur called for last year, and told our committee was needed the very same day Mrs. Nelson was before us. We have heard all sorts of stories so far on what is being done in the Nelson inquiry, but none of them are satisfactory.

First, we heard the FBI would be helping the inquiry, and then the Chief Constable of Kent in England would be running the show. Now we have another deputy constable brought in from England to run the investigation.

All the time the local RUC in the Portadown region has been involved from where some of the threats on Mrs. Nelson's life in fact originated. One RUC officer reportedly told another

client of Mrs. Nelson when he was arrested that, ''Nelson won't help you this time. She won't be here that long. She will be dead.''

Now no objective and fair person would want that police service investigating this courageous solicitor's murder. This is one of the factors why the original investigation of these RUC threats against Mrs. Nelson were referred to the London Metropolitan Police for investigation, not the RUC, by the Northern Ireland Independent Commission on Police Complaints.

Yes, a lot rides in how this inquiry is fairly and independently handled by the British Government, as well as the future for the north of Ireland. There is a point in time when the peace process is stalled.

Accordingly, I urge the adoption of this important and timely bipartisan resolution before us and urge my colleagues to vote ''yes'' on the resolution.

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

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

Mr. Speaker, I rise in support, strong support, of House Resolution 128 and the work of the gentlemen from New Jersey (Mr. SMITH) and (Mr. PAYNE) and the work that they have done to honor the memory of Rosemary Nelson.

It is amazingly fitting that we celebrated in the previous resolution with the Congressional Gold Medal being given to Rosa Parks, and deservedly so. The fact is that Rosemary Nelson was a Rosa Parks in Northern Ireland. But she, unlike Rosa Parks, will never see the day where she will be so honored in her homeland.

Mr. Speaker, Rosemary Nelson's death should not have happened. Mrs. Nelson dedicated her life to improving human rights in Northern Ireland as a defense attorney for the Catholic minority community. Her work earned her much respect, as well as enemies.

In 1998, Congress heard Mrs. Nelson's fear when she testified before the subcommittee of the gentleman from New Jersey (Mr. SMITH), the Subcommittee on Human Rights, about her defense work in the north of Ireland. She feared for her life because of the lack of police protection she and other Catholic defense attorneys received or did not receive from the Royal Ulster Constabulary.

In addition to her own fears, the Independent Commission for Police Complaints has reported that the RUC disregarded previous death threats against Mrs. Nelson and that RUC officers repeatedly threatened her during her course of work.

Frankly, I believe the RUC itself is partly responsible for the death of Rosemary Nelson because of their lack of protection of her and its prior history of collusion with loyalist militias.

This resolution brings justice to Rosemary Nelson and her legacy. This resolution calls upon the United Kingdom to carry out an investigation, not connected with the RUC, into the death of Rosemary Nelson.

In the past, quasi-independent investigations have not borne any fruit and typically have been disregarded, unpublished, and swept under the carpet. Reputations have been destroyed and justice has never been served.

In addition, this resolution calls upon investigators to issue a detailed report on police harassment of defense attorneys by RUC forces and forces it to implement the United Nations Special Rapporteur's recommendation for an independent inquiry into the death of defense attorney Patrick Finucane.

This Thursday, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON), two great friends of human rights and the peace process in the north of Ireland, are holding hearings in the Committee on International Relations, which I have the pleasure of sitting on, about the reconstitution of the RUC and police reform in Northern Ireland.

The RUC is made up of a force which is over 92 percent Protestant and 100 percent loyalist to the British Government. They have systematically denied basic judicial and human rights to the Catholic minority in Northern Ireland, and have no respect in the Catholic community or in the world community at large. In fact, due to their abysmal human rights record, there is a ban on weapons sales to the Royal Ulster Constabulary by the Government of the United States.

I look forward to working with all my colleagues on both the Committee on International Relations and in the House to work with the international community in creating a police force which more accurately reflects the religious makeup of Northern Ireland, a force which all Irish can be proud of.

In closing, Mr. Speaker, I urge all my colleagues in Congress to stand up for human rights in the north of Ireland and to honor the legacy of Rosemary Nelson.

Again, I want to thank my co-chairs of the Congressional Ad Hoc Committee for Irish Affairs, the gentleman from New York (Mr. GILMAN), the gentleman from New York (Mr. KING) and the gentleman from Massachusetts (Mr. NEAL), along with the gentleman from New Jersey (Mr. PAYNE) and the gentleman from New Jersey (Mr. SMITH), for their work in bringing attention to and making a difference on Irish issues and human rights in the north of Ireland.

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

Mr. GILMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the gentleman from New York (Mr. GILMAN) for his fine work on this resolution and for helping us when we got to the full committee, and also the gentleman from New York (Mr. CROWLEY) and the gentleman from New Jersey (Mr. PAYNE), as was mentioned, and the gentleman from New York (Mr. KING), one of the cosponsors. We have worked as a team, and I think this is a very important resolution for House consideration today.

Mr. Speaker, the resolution before us today condemns the brutal murder of Northern Ireland defense attorney Rosemary Nelson and calls for the British Government to launch an independent inquiry into Rosemary's killing.

The resolution also calls for judicial inquiry into the allegations of official collusion in the 1989 murder of defense attorney Patrick Finucane and an independent investigation into broader allegations of harassment of defense attorneys by Northern Ireland's police force, known as the Royal Ulster Constabulary or the RUC.

Rosemary Nelson was a champion of due process rights and a conscientious and courageous attorney in Northern Ireland. She was the wife of Paul Nelson and the mother of three young children: Sara, Gavin, and Christopher.

Her murder, Mr. Speaker, on March 15, 1999, was a cowardly act by those who are the enemies of peace and enemies of justice in Northern Ireland. Her death is a loss felt not just by her family and friends but by all who advocate fundamental human rights.

Consideration of this resolution today is particularly timely, as officials in Northern Ireland, the Republic of Ireland, and the U.K. continue to question the ability of the RUC to properly conduct this murder investigation.

In fact, last week the European Parliament passed its own resolution, offered by Dublin's representative Bernie Malone, which calls for ''a fully independent team of investigators to conduct the inquiry as a means of securing confidence and objectivity.''

Anyone who knows anything about human rights in Northern Ireland would have little confidence that the RUC could produce a credible or a transparent or thorough investigation of the murder of a Catholic defense attorney. The history of intimidation of defense attorneys by the RUC has been documented by my subcommittee as well as by the United Nations Commission on Human Rights.

□ 1600

Thus, Mr. Speaker, there is little reason to believe that Rosemary Nelson, who was mistreated by members of the RUC throughout her professional life as an attorney, would now be treated respectfully and justly in death.

I first met Rosemary Nelson in Belfast a few years ago when she shared with me her genuine concern for the administration of justice in the Northern Ireland. She explained how, as an

attorney, she had been physically and verbally assaulted by RUC members and how they sent death threats to her through her clients. Many of her clients were harassed as well.

Notwithstanding these threats, Rosemary still carried an exhaustive docket which included several high-profile political cases, such as representing the family of Robert Hamill, who was beaten to death by a sectarian mob and representing the residents of Garvaghy Road in their bid to stop controversial marches through the neighborhood. Through her work, she became an international advocate for the rule of law and the right of the accused to a comprehensive defense and an impartial hearing of their case.

For this, however, Rosemary was often the subject of harassment and intimidation. For her service to her clients, Rosemary Nelson paid the ultimate price with her life, the victim of a car bomb.

Mr. Speaker, in September of last year, just 7 months ago, Rosemary testified before my subcommittee. She told us how she feared, she feared the RUC. She reported that she had been, quote, and I quote from her testimony, ''physically assaulted by a number of RUC officers'' and that the harassment included ''threats against my personal safety, including death threats.'' She said she had no confidence in receiving help from her government, because in the end her complaints about the RUC would be investigated by the RUC.

Testifying along with Rosemary Nelson was a man by the name of Mr. Cumaraswamy, a U.N. Special Rapporteur on the independence of judges and lawyers, who led an extensive human rights investigative team to the UK and published a report in 1998. Mr. Cumaraswamy stated that he found evidence, and I quote him, of ''consistent and systematic,'' close quote, RUC harassment and intimidation of defense lawyers in Northern Ireland. His report was quite critical of the excessive authority granted to the RUC by the so-called ''emergency laws,'' and he expressed dismay that the government had not moved decisively to protect lawyers that were under threat.

Mr. Cumaraswamy recommended a judicial inquiry into the threats and the intimidation of Rosemary Nelson and other defense attorneys. Last week at the UN Commission on Human Rights at their annual summit in Geneva, Mr. Cumaraswamy reported that in the years since the release of his report about the great dangers facing Northern Ireland's defense attorneys that the RUC had shown, and these are his words, ''complete indifference.'' He accused the RUC chief, Constable Ronnie Flanagan, and I quote him again, of ''allowing the situation to deteriorate,'' and like the rest of us, the Special Rapporteur says he has, and these are his words again, ''a nagging feeling that the RUC involvement in what is now a murder investigation could affect and taint the impartiality and the credibility of that investigation.''

And yet, our friends in the Blair government seem unmoved.

Despite Rosemary Nelson's testimony, her concerns and the concerns now raised by human rights experts around the world, the British Government has forfeited the investigation of Rosemary Nelson's murder to the very agency she feared and mistrusted the most. It does not seem to phase them that a report just released by Northern Ireland's police watchdog, the government's Independent Commission for Police Complaints, the ICPC, said that RUC investigators investigating the death threats against Rosemary Nelson were themselves evasive and disinterested. It also found an ill-disguised hostility to Mrs. Nelson on the part of some police officers.

Astonishingly, even the police from the bereaved family, even the pleas from the father himself, the husband and father of the three children, Paul Nelson; he went to Geneva just the other day, and his quote:

''If the ICPC had no confidence in the ability of the RUC to investigate the death threats against Rosemary, how can my family,'' he says, ''be expected to have confidence in their ability, indeed their willingness, to effectively investigate her murder?''

Mr. Speaker, the bill before us, the resolution before us today, truly captures Mr. Nelson's sense of despair and reflects the growing international consensus that the British Government needs to act decisively and remove any and all doubts about the investigation into Rosemary Nelson's murder. RUC Ronnie Flanagan has rejected the call for an RUC-free investigation and has instead been spinning his wheels trying to create the image of impartiality and external influence on his investigation.

It does not cut, nobody is buying it, and we need now an RUC-free investigation.

Let me just conclude, Mr. Speaker, by noting that the major international human rights organizations, including Amnesty International, the Lawyers Committee for Human Rights, British/Irish Human Rights Watch, the Committee for the Administration of Justice, Human Rights Watch and the Geneva-based Commission of Jurists all support the call for an independent inquiry. That is what we tried to do in this resolution. The time is long past for this to happen, and I hope we get the full support of this body in support of this resolution.

The resolution before us today condemns the brutal murder of Northern Ireland defense attorney Rosemary Nelson and calls on the British Government to launch an independent inquiry into Rosemary's killing.

The resolution also calls for a judicial inquiry into allegations of official collusion in the 1989 murder of defense attorney Patrick Finucane and an independent investigation into broader allegations of harassment of defense attorneys by Northern Ireland's police force, the Royal Ulster Constabulary (RUC).

Rosemary Nelson was a champion of due process rights and a conscientious and courageous attorney in Northern Ireland. She was the wife of Paul Nelson and the mother of three young children: Sarah (8), Gavin (11), and Christopher (13). Her murder on March 15, 1999, was a cowardly act by those who are the enemies of peace and justice in Northern Ireland. Her death is a loss felt not just by her family and friends, but by all who advocate fundamental human rights.

Consideration of this resolution today is particularly timely as officials in Northern Ireland, the Republic of Ireland, and the United Kingdom continue to question the ability of the RUC to properly conduct this murder investigation. In fact, last week, the European Parliament passed its own resolution—offered by Dublin's representative, Bernie Malone (MEP)—which calls for ''a fully independent team of investigators'' to conduct the inquiry as a means of securing confidence and objectivity.

Anyone who knows anything about human rights in Northern Ireland would have little confidence that the RUC could produce a credible, transparent, thorough investigation of the murder of a Catholic defense attorney. The history of intimidation of defense attorneys by RUC members has been documented by my subcommittee, as well as by the United Nations Commission on Human Rights. Thus, there is little reason to believe that Rosemary Nelson, who was mistreated by members of the RUC throughout her professional life as an attorney, would now be treated respectfully and justly in death.

I first met Rosemary Nelson in Belfast a few years ago, when she shared with me her genuine concern for the administration of justice in Northern Ireland. She explained how, as an attorney, she had been physically and verbally assaulted by RUC members and how they sent death threats to her through her clients. Many of her clients were harassed as well.

Notwithstanding these threats, Rosemary Nelson still carried an exhaustive docket which included several high profile political cases, such as representing the family of Robert Hamill, who was beaten to death by a sectarian mob, and representing the residents of Garvaghy Road in their bid to stop controversial marches in their neighborhood. Through her work, she became an international advocate for the rule of law and the right of the accused to a comprehensive defense and an impartial hearing.

For this, however, Rosemary Nelson was often the subject of harassment and intimidation. For her service to her clients, Rosemary Nelson paid the ultimate price with her life—the victim of a car bomb.

In September 1998—just 7 months ago—Rosemary testified before our subcommittee. She told us she feared the RUC. She reported that she had been ''physically assaulted by a number of RUC officers'' and that the harassment included, ''threats against my personal safety including death threats.'' She said she had no confidence in receiving help from her government because, she said, in the end her complaints about the RUC were investigated by the RUC.

Testifying along with Rosemary Nelson was Mr. Param Cumaraswamy, the U.N. Special Rapporteur on the independence of judges and lawyers, who led an extensive human rights investigative mission to the United Kingdom and published a report in 1998. Mr.

Cumaraswamy stated that he found evidence of ''consistent and systematic'' RUC harassment and intimidation of defense lawyers in Northern Ireland. His report was quite critical of the excessive authority granted to the RUC through the so-called ''emergency laws'' and he expressed dismay that the government had not moved decisively to protect lawyers under threat.

Mr. Cumaraswamy recommended a judicial inquiry into the threats and intimidation Rosemary Nelson and other defense attorneys had received. He endorsed the establishment of a police ombudsman and he called on the British government to provide protection for defense attorneys who had been harassed. Today, it is hard not to wonder: if only the British Government had taken the Special Rapporteur's recommendations more seriously, Rosemary Nelson might have been better protected and still with us today.

But last week, at the U.N. Commission on Human Rights annual summit in Geneva, Mr. Cumaraswamy reported that in the year since the release of the UN report about the grave dangers facing Northern Ireland's defense attorneys, the RUC has shown ''complete indifference.'' He accused RUC Chief Constable Ronnie Flanagan of ''allowing the situation to deteriorate.'' And like the rest of us, The Special Rapporteur says he has a ''nagging feeling'' that RUC involvement in what is now a murder investigation ''could affect and taint the impartiality and credibility of the investigation.''

And yet, the our friends in the Blair government seem unmoved.

Despite Rosemary Nelson's testimony, her concerns, and the concerns now raised by human rights experts the world over, the British government has forfeited the investigation of Rosemary Nelson' murder to the very agency she feared and mistrusted most, the RUC. It doesn't seem to faze them that a report just released by Northern Ireland's police watchdog, the government's Independent Commission for Police Complaints (ICPC), said that RUC officers investigating the death threats against Rosemary Nelson were themselves ''evasive and disinterested.'' It also found an ''ill-disguised hostility to Mrs. Nelson on the part of some police officers.''

Astonishingly, even the pleas of the bereaved family have fallen on deaf ears at Stormont Castle. As a result, Rosemary Nelson's husband, Paul, went to Geneva last week to gain outside help in his push for an independent investigation into the murder of his wife. He has said very simply, ''if the ICPC had no confidence in the ability of the RUC to investigate the death threats against Rosemary, how can my family be expected to have confidence in their ability—indeed their willingness to effectively investigate her murder?''

The bill before us today captures Mr. Nelson's sense of despair and reflects the growing international consensus that the British Government needs to act decisively to remove any and all doubts about the investigation into Rosemary Nelson's murder. RUC Chief Ronnie Flanagan has rejected the call for an RUC-free investigation and has instead been spinning his wheels trying to create an image of impartiality and external influence in his investigation.

But, it's all an illusion.

While the Chief Constable's diversionary tactics have flattered some—even one or two in our own FBI—the people in the affected community have not been fooled. This week, both the Irish News and the Irish Times reported that despite Mr. Flanagan's posturing about external influences on the investigation, community witnesses ''have been reluctant to talk to the police.''

And who can blame them?

Local residents remain skeptical of the RUC's window dressing and have no confidence in an investigation that has already swapped one non-RUC lead investigator for another.

They don't buy an investigation that advertises itself as a 50-member ''outside'' investigate force even though 40 members of the team are RUC and only 10 are not.

They have low expectations and little trust in an ''investigative team'' that tells people its working hard on the crime but can't get the date of the murder right and issues a telephone hotline number that's already been disconnected or never put in service.

The camouflage on Mr. Flanagan's so-called independent, outside inquiry has already worn thin. Because of the documented, open hostility that RUC officers displayed towards Rosemary Nelson, the RUC simply does not have the credibility to answer the burdensome questions: Who killed Rosemary Nelson? Who ordered her murder? And did the RUC officers who threatened her life in the past either instigate, condone, or cover-up her killing?

In order for this investigation to be beyond reproach, and to have the confidence and cooperation of the Catholic community that Rosemary Nelson adeptly represented, it must be organized, managed, directed and run by someone other than the RUC. Anything short of that may have surface appeal, but it still leaves too much of the grueling investigation under the charge of an organization of which the murder victim herself was extremely suspect, and to whom the local people are afraid to talk.

The major international human rights groups, including Amnesty International, Lawyers Committee for Human Rights, British/Irish Human Rights Watch, the Committee for the Administration of Justice, Human Rights Watch and the Geneva-based International Commission of Jurist support the call for an independent inquiry.

Mr. Speaker, one of the major tenets of the 1998 ''Good Friday Agreement'' is its promise of an acceptable police force that will secure due process rights—rather than thwart them—for members of both communities in Northern Ireland. The success of the peace process is predicated on the government's ability to deliver on a police force that will protect fundamental human rights and to demonstrate to the people of Northern Ireland that injustices such as harassment of defense attorneys and the murders of Patrick Finucane and Rosemary Nelson will be investigated by top-notch, dedicated and impartial personnel.

For these reasons, I urge final passage of this bill.

Mr. CROWLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. VENTO).

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

Mr. VENTO. Mr. Speaker, I rise in support and join my colleagues in lamenting the assassination of Rosemary Nelson. With the prospect of the Good Friday Accords in Northern Ireland and the fact that they are still being pursued, and we are hopeful that they will be brought to resolution, clearly this action against such a high-profile defense lawyer and defense representative in Northern Ireland was calculated to, in fact, stop those peace accords from going through, as other actions that have taken place have also been aimed at that; and I think all of us are hopeful that the Northern Ireland Government, the Government in the UK will recognize that the objectivity of the Royal Ulster Constabulary to in fact do this investigation has been forfeited because of the events that have occurred in the recent past and certainly with regards to Rosemary Nelson obviously, the testimony here, the fact that she feared them and so forth, I think is a statement that demonstrates that they have, in fact, compromised their neutrality in terms of being able to go forward with such investigation.

I think that the government structure clearly want to and hope that they would like to get to the bottom of this, and so I think we must find an objective investigation that is independent to get to the bottom of it; and I think we should get to the bottom of it and prosecute those that are guilty of this assassination and proceed with the business at hand.

I think that events in Northern Ireland are pretty clear. Recently I had the privilege to travel and participate in Northern Ireland with Habitat for Humanity, the Belfast celebration providing homes to both Catholics and Protestants. The economy of all of Ireland is on the upswing, employment and opportunities are growing, and hopefully the discrimination that has persisted in the past can now finally be laid to rest. It has taken hundreds of years to get to where we are, but these are, this type of behavior is learned behavior, and I think that the human spirit certainly can rise above it, and we have seen some pretty good examples of that in the past year.

The electoral process has been successful, and while outstanding issues exist, I am optimistic that the Clinton administration, the former Senator, George Mitchell-led Good Friday Peace Accord Agreement of 1998 will be implemented, and that the IRA decommissioning and reform at the RUC will be achieved.

I commend the leadership of the republic's Prime Minister Ahern, Mr. Trimble and Jerry Adams, who are attempting to bring to conclusion and completion the goals of peace and reconciliation in Northern Ireland.

This horrific murder of the attorney, Rosemary Nelson, represents a sad day in the long peace process in Northern Ireland, but hopefully it will not be the last chapter. Hopefully, the last chapter will be one with this type of symbolic action of this outstanding personality and person, that this will be one in which this loss of life will help to

push us and push these governments to a point of reconciliation and building the type of community and the type of understanding that will settle this matter for decades into the future.

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

Mr. Speaker, I rise today to join my colleagues in lamenting the plight of Rosemary Nelson. Sadly, Rosemary, a leading Catholic human rights attorney and campaigner, was murdered by a car bomb in Lurgen, Northern Ireland on March 15, 1999. This cowardly act is believed to have been orchestrated by an outlaw band of extreme Protestant Red Hand Defenders who claimed responsibility for the killing.

Rosemary's commitment to social justice and defense of nationalist activities in high-profile cases throughout Northern Ireland led to intimidation tactics by the Protestant-dominated police force, the Royal Ulster Constabulary (RUC) and several death threats by unionist para-militaries. Nelson, who was married and the mother of three children aged 8 to 13, represented the Catholic residents of Carvaghy Road, who refused to allow a Protestant fraternal organization to parade past their homes in annual sectarian commemorations that prompted province-wide violence. She also defended the family of Robert Hamill, who was the victim of the ''Portadown kicking'' incident, while RUC police officers did not address this atrocity. Unfortunately, due to Rosemary's death, this case is still pending.

Rosemary made a very impressive and powerful impact when she testified before the House Subcommittee on International Operations and Human Rights, on September 29, 1998. Her testimony exposed the harassment and intimidation of defense lawyers representing nationalists in political cases in Northern Ireland. She accused the RUC of making death threats against her and her family through clients as well as sending threatening telephone calls and letters directly to her. In addition, it is also alleged that the RUC made similar threats against the safety of other defense attorneys in Northern Ireland. I would point out that 10 years ago, prominent Catholic defense attorney Patrick Funucane was murdered by an alleged loyalist death squad. To this day, no one has every been charged with that crime. Further allegations suggests that the RUC has conducted searchers without warrants, arrested and detained suspects without providing access to legal council. These allegations clearly violate international civil rights laws and compromise the neutrality of the RUC to enforce the law.

The murder of Rosemary Nelson has the potential to uproot and undermine last year's historic Good Friday peace agreement. Further retaliation from nationalist paramilitary forces could take the British province back toward a state of sectarian warfare that has regrettably prevailed for 30 years.

In response to Rosemary's murder and the past and current intimidation tactics, I rise in strong support of H. Res 128, which condemns all violence committed in violation of the largely successful Northern Ireland cease-fire agreement. Specifically, this measure condemns the murder of Rosemary and calls on the British government to overturn its decision to allow the RUC to investigate Rosemary's death. While the objectivity of the RUC is under question, the investigation will not be accepted. H. Res 128 rightly urges the British government to conduct an independent inquiry and issue a detailed public report on the car bombing which killed Rosemary Nelson. Furthermore, this important measure requests the British government to conduct a judicial investigation of the treatment of defense attorneys by the RUC and continue to investigate the death of Patrick Finucane.

Recently, I had the privilege to travel and participate with Habitat for Humanity in a Belfast celebration of providing homes for both Catholics and Protestants. The economy of all Ireland is on the upswing, employment opportunities are growing and hopefully the discrimination that has persisted in the past can now finally be laid to rest. The electoral process has been successful and while outstanding issues exist, I am optimistic that the Clinton administration and the former Senator George Mitchell-led Good Friday peace agreement of 1998 will fully be implemented and IRA decommissioning and reform of the RUC achieved. I commend the leadership of the Republic's Prime Minister Ahern, Mr. Trimble and Jerry Adams, who are attempting to bring to conclusion and completion the goals of peace and reconciliation in Northern Ireland.

The horrific murder of attorney Rosemary Nelson represents a sad day in the long peace process in Northern Ireland. The role of defense attorneys in any democracy and in Northern Ireland is vital. The test of a new society in Northern Ireland will be to recognize and respect such roles without any intimidation or improper interference. We must all look forward to that day by building a truly democratic society, brick by brick, and building a community which respects one another.

Mr. CROWLEY. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PAYNE).

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

Mr. PAYNE. Mr. Speaker, I rise today in support of this legislation before us in honor of Rosemary Nelson who gave her life on Monday, March 15. It is so ironic that today we also honor Rosa Parks. Rosa Parks and Rosemary Nelson have a lot in common. They both stood up for injustices in the world. Rosa Parks refused to give up her seat at the front of a bus in Selma, Alabama, and did not give in to intimidation of police.

Like Mrs. Rosa Parks, continents away, Rosemary Nelson continued to receive death threats from those who continue to see Catholics as second-class citizens.

In the shadow of peace talks, I know that Prime Minister Tony Blair and Irish Premier Bertie Ahern met yesterday for 5 hours at Downing Street. Although the parties showed little outward signs of progress, I do believe that they must continue.

But let me say this. The peace process is in serious trouble if perpetrators of Mrs. Nelson's death do not come forward. To date, the RUC has yet to bring anyone accused of any crime associated with the killings of the minority Catholic community. How do they have no indictments or imprisonments over several years of sustained and continued intimidation and abuse?

There is something wrong with this picture. The investigation into the assassination of not only Rosemary Nelson is disturbing, but the death of Pat Finucane as well. I have asked for an independent investigation, one that is totally independent of RUC involvement. Since there is well-founded evidence that there was collusion by the RUC in both these murders, it is imperative that the investigation be totally delinked.

Last year, the United Nations Rapporteur called for an independent investigation and pointed specially to look at the harassment of civil rights attorneys in the north of Ireland. Many lawyers on behalf of residents in Ireland are routinely excluded from interviews with their clients and are detained in holding centers.

The troubles in the north of Ireland did not begin with this one courageous woman's death. We must also investigate Bloody Sunday which began on Easter Sunday in 1972. Two years ago I went to the Pat Finucane Center in West Belfast and met with Miss Ruth Taillon of the West Belfast Economic Forum. While there, I also met with the wife of imprisoned lawyer, Colin Duffy, and Oliver Kearney, Chairman of the Fair Employment Group of Equity and relatives of the Justice Committee. The Justice Committee sent me a letter, and I quote: ''It would be untenable for RUC to have the inquiry.''

Moved by what I saw, I came back to the States committed to seeing that justice is done. I introduced legislation that will call for full disclosure of the inquiry reports of both Pat Finucane and the Nelson case, and it also calls on the United Nations to form an independent inquiry into the long-term harassment of these individuals. I have worked with the sponsors of this bill, and I believe my concerns have been incorporated in the bill.

It is public knowledge that Mrs. Nelson's life was threatened on several occasions by the RUC Special Branch. Mrs. Nelson testified before the Committee on International Relations' Subcommittee on International Operations and Human Rights on September 29 of last year that she had been threatened by the RUC officials. Rosemary Nelson lost both of her legs and suffered extensive abdominal injuries in the blast and died despite intensive medical efforts to save her life. Ms. Nelson was a prominent Armagh County human rights attorney and was a defender of the basic principles that this country has fought for during the height of the civil rights movement and continues to fight for today, the equality of mankind.

She died to enable our world to live more amply with greater vision and finer spirit of hope and achievement. We impoverish her memory if we forget the task at hand.

Mr. Speaker, I appreciate the opportunity to address the House and ask for passage of this legislation.

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

Mr. Speaker, I thank the gentleman from New Jersey for all his work for all concerned not only in Northern Ireland and around the world, but particularly for his work and his effort in the north of Ireland. We thank him.

Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

□ 1615

Mr. NEAL of Massachusetts. Mr. Speaker, let me begin by commending the gentleman from New Jersey (Mr. SMITH) and certainly the gentleman from New York (Mr. GILMAN), the gentleman from New York (Mr. CROWLEY) and the gentleman from New Jersey (Mr. PAYNE) and people who have been so faithful to this cause for so long.

For the better part of two decades I have been immersed in the details of what life is like in Northern Ireland, particularly for the nationalist community, and we are reminded today that this conflict represents the longest standing political dispute in the history of the Western world.

Once again, on occasions like this we are also reminded that it is the United States that lights the way for hope in terms of man and womankind. It is the United States, and its ability to shed light on inequities and injustices in other parts of the globe, that calls attention to events like the murder of Rosemary Nelson.

I had the opportunity to meet Rosemary Nelson, and I can say that in an unbridled manner she was the champion of the rights of the nationalist community to stand in front of a court system that they do not always trust, but nonetheless to be treated in a manner that was fair and equitable.

The killing of Rosemary Nelson reinforces my belief and the belief of millions of Americans that the criminal justice system in the north of Ireland, including policing, is in need of dramatic change and indeed reform and perhaps even abolition.

Just last week, the United Nations' special investigator released a report that raises serious questions about the professional integrity and independence of the Royal Ulster Constabulary. The report documents cases of collusion between the RUC and the paramilitary groups.

Let me picture this for the American people: The policing organization tips off members of the paramilitary loyalist groups who then, once the individual is fingered as a suspect, is not only subject to verbal intimidation and harassment, but as is the case of Rosemary Nelson, one may well be murdered for their beliefs.

It draws attention to the fact that solicitors who choose to represent individuals in the nationalist community, like Rosemary Nelson and another friend of mine through his family, Pat Finucane, were always the targets of harassment and intimidation by the Royal Ulster Constabulary.

Following the recommendations of organizations such as the British-Irish Watch, Amnesty International, and the Lawyers Committee for Human Rights, the U.N. Special Investigator demanded independent judicial inquiries into the deaths of Rosemary Nelson and Patrick Finucane.

Mr. Speaker, if we do not say something in this Chamber, if we do not say something in the halls of this Congress, then typically these events are brushed under the carpet. It is only the United States, in its ability to call attention to these inequities, that in the end causes us to travel down the path of what might be a satisfactory system of justice.

Ireland is closer today than it has been at any time in this century to the settlement of peace; as John Hume and Jerry Adams frequently say, an agreed upon Ireland. That should be the goal of all of us. We cannot have one part of the community, the policing organization, being seen as being part of the occupying force, and expect the minority or the nationalist community to accept that judgment.

It is people like John Hume and Jerry Adams who for the better part of 30 years have stood for the rights of people in the nationalist community, to ensure that when someone stands in front of a judge, that they are not found guilty because of their religious beliefs or because of their ethnicity. That is what Jefferson and Madison gave us in America and that is what we ought to attempt, wherever we can, to export to the rest of the world.

I must say that it will be the United States in the end that calls attention to these injustices, that could lead to a conclusion of swift justice to bring the perpetrators of the murderer of Rosemary Nelson and Patrick Finucane to the bar of justice.

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

Mr. Speaker, without question, we must all condemn the murder of Rosemary Nelson in the strongest terms. She was a remarkable woman who fought for justice, human rights and respect for the law in the north of Ireland.

I once again commend my colleagues, the gentleman from New Jersey (Mr. SMITH), the gentleman from New Jersey (Mr. PAYNE), and all the sponsors of this resolution. The facts surrounding the Nelson murder and investigation demonstrate the need for overall police reform in Northern Ireland. Northern Ireland must have a police force that all of its citizens, all of its citizens, can have confidence in.

The reason the RUC had to call in an independent investigator was because they lacked credibility to conduct this investigation. The degree to which lower level RUC officers were involved in the murder of Ms. Nelson must be explored. We must have an independent entity direct this investigation, which produces a public and transparent report, finding out all the facts, all of the facts, behind the Rosemary Nelson murder. It must be a prelude to radical and thorough police reform in Northern Ireland and cannot have any substitute. I urge my colleagues to support this resolution.

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

The SPEAKER pro tempore (Mr. PEASE). Without objection, the gentleman from New Jersey (Mr. SMITH) will control the time allocated to the gentleman from New York (Mr. GILMAN).

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from New York (Mr. CROWLEY) for his good, strong statement and for his work on this resolution.

Let me close very briefly. British justifications for not having an independent inquiry were further undercut by the Northern Ireland Independent Commission on Police Complaints, which expressed doubts that the RUC could objectively address Mrs. Nelson's earlier allegations of police harassment and threats.

The commission, after initially watching the RUC's investigation of itself, concluded that the RUC did not inspire confidence. The commission noted the need for independence and referred the matter to the metropolitan police in London for investigation even before Mrs. Nelson's tragic murder.

That referral report has leaked out since Mrs. Nelson's murder, and it is a scathing indictment of the RUC and its indifference to her safety. For example, the report says that of the RUC officers involved in the investigation, that there was, ''observable hostility, evasiveness and disinterest. One officer attended the interview 45 minutes late without explanation and smelled of alcohol.''

It is time now to act independently, to encourage real independence in this investigation and Pat Finucane and for protection of all the defense attorneys in Northern Ireland. That is why this resolution sends that clear message to the British.

Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Mr. Speaker, I want to commend the gentleman from New Jersey (Mr. SMITH), the gentleman from New York (Mr. CROWLEY), the gentleman from Massachusetts (Mr. NEAL), and others who have been working on this for some time.

For those in this country that have come to expect a judicial system that is fair, that is honest, police investigations that we can put our faith in, sometimes it is hard to understand when a country's entire respect for law is adversely affected by concerns about

the honesty of investigations and police activities.

This Congress time and time again has led the fight for fair justice for all citizens of every country. That is what we are doing here today. Again, I commend the gentleman from New Jersey (Mr. SMITH), the gentleman from New York (Mr. CROWLEY), and in particular my good friend, the gentleman from Springfield, Massachusetts (Mr. NEAL), for the efforts they have made fighting for justice here again.

Mr. ROTHMAN. Mr. Speaker, last week, during consideration of the State Department reauthorization bill in the House International Relations Committee, I rose with Congressman MENENDEZ to present an amendment to that bill. Its purpose was to ban the further training of members of the Royal Ulster Constabulary by the FBI at their National Academy in Quantico, Virginia. There were many reasons why we introduced that amendment, but one of the most compelling was the suspicion of RUC complicity in the assassination of Rosemary Nelson.

Accusations of RUC support for the murder of Catholic leaders abounds. Rosemary Nelson appeared before the International Relations Committee and testified that she had received death threats from members of the RUC.

The U.N. Special Rapporteur on the Independence of Judges and Lawyers has found that the RUC is engaged ''in activities which constitute intimidation, harassment, [and] hindrance'' of defense lawyers [in Northern Ireland] in the course of their professional duties. He also labeled the RUC's intimidation of defense lawyers in Northern Ireland as, and I quote, ''consistent and systematic.''

This is not acceptable. There must be an independent investigation into the murder of Rosemary Nelson to determine who is responsible. Those who are responsible must be brought to justice. If members of the RUC are confirmed to have been involved, the RUC should be disbanded and a new police force created.

Mr. Speakers, Northern Ireland needs a police force for all the people. Defense attorneys in Northern Ireland must be protected so that they can do their jobs. I support H. Res. 128 and I urge my colleagues to do so as well.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in support of House Resolution 128, a resolution which condemns the brutal murder of Northern Ireland human rights lawyer Rosemary Nelson and calls for an independent inquiry into her death.

Ms. Nelson's murder was truly a tragedy—a cowardly act by those who are enemies of peace and justice in Northern Ireland.

Rosemary Nelson spent her life trying to help others. She was a champion of human rights worked tirelessly to protect ensure these basic rights for her fellow countrymen. Ultimately, she was killed because of her work.

We must not allow her death to be in vain—we must not allow the enemies of peace to win. We have all worked too long and hard to achieve peace and the people of Ireland deserve no less.

Today, I join with my colleagues and call for an independent investigation into the death of Rosemary and all human rights attorneys in Northern Ireland who have lost their lives in the pursuit of helping others.

We owe it to the memory of these courageous individuals—and we owe it to the cause of peace and justice, both in Ireland and throughout the world.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time and urge a ''yes'' vote.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, House Resolution 128, as amended.

The question was taken.

Mr. SMITH of New Jersey. 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.

RECOGNIZING HISTORIC SIGNIFICANCE OF FIRST ANNIVERSARY OF GOOD FRIDAY PEACE AGREEMENT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 54) recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement, as amended.

The Clerk read as follows:

H. CON. RES. 54

Whereas Ireland has a long and tragic history of civil conflict that has left a deep and profound legacy of suffering;

Whereas since 1969 more than 3,200 people have died and thousands more have been injured as a result of political violence in Northern Ireland;

Whereas a series of efforts by the Governments of the Republic of Ireland and the United Kingdom to facilitate peace and an announced cessation of hostilities created an historic opportunity for a negotiated peace;

Whereas in June 1996, for the first time since the partition of Ireland in 1922, representatives elected from political parties in Northern Ireland pledged to adhere to the principles of nonviolence and commenced talks regarding the future of Northern Ireland;

Whereas the talks greatly intensified in the spring of 1998 under the chairmanship of former United States Senator George Mitchell;

Whereas the active participation of British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern was critical to the success of the talks;

Whereas on Good Friday, April 10, 1998, the parties to the negotiations each made honorable compromises to conclude a peace agreement for Northern Ireland, which has become known as the Good Friday Peace Agreement;

Whereas on Friday, May 22, 1998, an overwhelming majority of voters in both Northern Ireland and the Republic of Ireland approved by referendum the Good Friday Peace Agreement;

Whereas the United States must remain involved politically and economically to ensure the long-term success of the peace agreement; and

Whereas on Good Friday, April 2, 1999, a one-year deadline passed without agreement among all major parties, putting the entire peace process in jeopardy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the historic significance of the first anniversary of the Good Friday Peace Agreement;

(2) salutes British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern and the elected representatives of the political parties in Northern Ireland for creating the opportunity for a negotiated peace;

(3) commends Senator George Mitchell for his leadership on behalf of the United States in guiding the parties toward peace;

(4) congratulates the people of the Republic of Ireland and of Northern Ireland for their courageous commitment to work together in peace;

(5) encourages the Governments of the United Kingdom and the Republic of Ireland with the active involvement of the United States to continue to work together to ensure the forward movement of the peace process; and

(6) reaffirms the bonds of friendship and cooperation that exist between the United States and the Governments of the Republic of Ireland and the United Kingdom, which ensure that the United States and those Governments will continue as partners in peace.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the measure now under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, next week the British and Irish governments will resume talks with the major political parties of Northern Ireland in an attempt to move the promises held in the 1998 Good Friday Agreement, to try to move them from good rhetoric to actual implementation.

This resolution that is being offered by the gentleman from New York (Mr. CROWLEY) is really a message of encouragement and hope. It urges all those who have worked so hard to achieve the Good Friday Agreement on paper to now rededicate themselves to the actual implementation of its provisions so that peace and justice will take root in the north of Ireland.

Last year, by overwhelming majorities, the people of Ireland, both north and south, embraced the ideals put forth by this peace agreement. Only

those who are enemies of peace and justice in Northern Ireland could be content with the prospect that the agreement may be stalled or parked as a result of new time lines and deadlines injected into the process.

Instead, as friends of Northern Ireland and sponsors of this resolution, we call on the leaders of all parties to move beyond the current impasse, to stick to the agreement as approved, resist renegotiating or clarifying the promises it holds, and do whatever can be done to ensure that the guarantee of fundamental human rights for both communities of Northern Ireland remains the driving force behind all that is done and worked for.

When the guarantee of fundamental human rights supersedes all other negotiation considerations, then we will see a just and lasting peace take hold in the north of Ireland.

This resolution puts us on record as saying go forward, and I want to commend the gentleman from New York (Mr. CROWLEY) for his sponsorship of this very timely and important resolution.

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

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I want to also thank the gentleman from New York (Mr. CROWLEY) and say that in the short period of time that he has been here he has been able to raise the profile of these kinds of issues. I think it is a testament to how successful and effective he has been in this short period of time.

I certainly want to thank the gentleman from New Jersey (Mr. SMITH) as well for the Rosemary Nelson, I think, opportunity where we could shed some light on that issue for the world to indeed see.

While we celebrate the first anniversary of the Good Friday Agreement in the north of Ireland, an agreement which people in the north of Ireland and the Republic of Ireland have now offered their support for, we nonetheless, I think, have to call attention to the 1-year anniversary in this sense: The people voted for an agreement which is historic in nature. This problem, again the longest standing political dispute in the history of the Western world, begins in geography eight centuries ago, certainly was reinforced during the Reformation, but during the last 30 years it has been a battle about civil rights.

What I think is significant about the Good Friday Agreement is that again both communities in the north of Ireland, both traditions, voted for the agreement. So we ask ourselves today, why has it not been implemented as the people voted?

The answer is this: Because once again the unionist community has said the famous word ''no''. They are now suggesting that because decommissioning has not taken place from the Irish Republican Army, that in fact that is the reason not to proceed with the agreement.

Now, let me say this. After both traditions voted for this agreement, decommissioning was supposed to take place simultaneously to, not in advance of, the institutions of governance being put in place.

What is striking about this current disagreement is this: All parties agreed to decommission in the month of May in the year 2000.

So now what we are seeing is, all parties have gotten to the goal line, and at the goal line David Trimble and the unionist community have essentially said, no, there was no touchdown scored; we are going to move the goalpost back.

The signal that that sends to the nationalist community is the historic reinforcement that no matter what is done, it is not good enough; that if we are not arguing today about decommissioning we will be arguing tomorrow about how to fly which flag. We will be arguing again about what the schools are to be like, and just wait until we get to that issue of the role that Dublin is going to play in the day-to-day affairs of the north.

□ 1630

If we think that we are now at impasse, believe me, that is the next unionist position that they will reinforce.

David Trimble typically contributes to his own political problems by reminding everybody how difficult it is. If one wants to be the prime minister of the north of Ireland, one has to be the leader of all of the people. Forty-one percent of the people in America voted against Bill Clinton. He is still President of the United States. That is the notion of democracy. The greater number decide. That is precisely what we subscribe to here in our democratic ideals.

So why is it after there has been an agreement and the public has ratified the agreement, bringing that island closer to peace than they have been at any time in the last 30 years, does one party once again have the ability to veto what people have voted for?

I would call upon Prime Minister Blair, who by the way I think deserves some credit, the Taoiseach Bertie Ahern, and certainly Bill Clinton who deserves credit as well, to say to the unionist community, ''We are going to proceed with the implementation of this agreement. On a prescribed date, we hope you are on board, because this is what the people voted for.'' That is the path that we should be traveling down; not once again to say, ''Here is an agreement ratified by the public,'' only have to a small number of people say, ''That cannot be,'' after it has been duly ratified by the voting public.

As those old visions and bad feelings sunset on that tiny island, I think we have an opportunity here to set an agenda where both traditions can live in accord. But we cannot do it if one party always says no. We cannot do it if one party simply says, yes, but. We cannot do it if one party says that our tradition somehow allows us to lord over the other tradition. In the end, that only generates bad feeling and it generates lasting feelings that cannot be overcome.

Let me close on this simple note. John Hume said it best, the Nobel Prize winning John Hume. He said, at the end of the day, what we all ought to be able to come to accord on is an agreed upon Ireland, and that should be the goal of all of us.

I thank the gentleman from New York (Mr. CROWLEY) and I thank the gentleman from New Jersey (Mr. SMITH) and I thank the gentleman from New Jersey (Mr. PAYNE), who have traveled therewith, for their visionary leadership on this issue. Indeed, there is an opportunity to make the implementation of this historic accord stick.

Mr. CROWLEY. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PAYNE).

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

Mr. PAYNE. Mr. Speaker, let me compliment the gentleman from New York (Mr. CROWLEY) for taking this time and handling this very important bill.

Mr. Speaker, I would like to rise today in support of the continuation of the peace process in the north of Ireland. I must begin by complimenting President Clinton, because it was his decision to allow Jerry Adams and the Sinn Fein organization to visit the United States after many years of being refused a visa, and that began to get the other side and the story of the work that was being done by the political wing of the movement in the north of Ireland.

Also, I have to compliment the skills and the patience and the deliberation of Senator George Mitchell for his work of for years forging an agreement between the parties. People who said they would never sit down together sat down and worked together, and I must compliment the people of the north of Ireland and Ireland for overwhelmingly approving the referendum that came to the agreement of the Good Friday Accords.

The Good Friday Accords were promulgated nearly a year ago this April with the best intent in mind: To end the authoritative rule and domination of the Protestant party over minority Catholics. It gave Catholics a real voice, for once, by ending three decades of conflict in the north of Ireland.

I became very interested and involved because as a youngster I was involved in the civil rights movement in this country, and I emulated and felt very close to the movement in the north of Ireland because of the same obstacles and the same freedom songs

that they sang about ''We Shall Overcome.'' So I became very involved as a young person in the struggle there.

But it will be two years this July since I went and spent time in the north of Ireland and had the opportunity to see for myself the violence and the killings associated with the Orange Order march in the village of Drumcree where I stayed, right there in the center of town. I also had the opportunity to visit the north of Ireland and Ireland with President Clinton on his historic trip back to that region.

The celebration of the victory of William of Orange, in which Irish land was seized and confiscated, is an assault to Catholics everywhere. Sadly, this parade glorifies a part of history and is provocative in its nature, and I have seen the walls that they marched down and threw pennies on both sides of the area, which just provokes people.

I believe that the political prisoner release of paramilitary groups on both sides was a good issue. I know that Tony Blair is receiving pressure to overturn this rule. I think it would be a very bad precedent for all involved if it was overturned.

In the same light, I know that the decommissioning issue was one of the last things discussed before all parties made the last push toward peace. We cannot allow decommissioning to be used as a wedge to keep Jerry Adams and Sinn Fein out of the government. Decommissioning of paramilitary weapons will take place, but I think we know that disarming the paramilitaries is going to be a very difficult task. This was never a precondition of power-sharing.

But let me say this: The peace agreement does not explicitly require a start on disarmament, but the politics of the accord compel it. I will hope that this could be worked out soon because we must have decommissioning, but it should not be a precondition.

If it is not, we are faced with confronting Bloody Sunday all over again in the future. We have gone too far, we have worked too hard, we have pushed too long to allow this. So this is the stakes that we all must make to ensure that peace in the north of Ireland becomes a reality and irreversible.

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

Mr. Speaker, I introduced H. Con. Res. 54 with the intent to honor and celebrate as a Congress the one-year anniversary of the Good Friday Peace Accord and the involvement of the United States Senate majority leader, George Mitchell; our President, Bill Clinton; Irish Taoiseach Bertie Ahern; and British Prime Minister Tony Blair for their work in securing this important and historic agreement.

In particular, recognition has to be given to Senator George Mitchell. This peace agreement would not have been possible without his involvement, and also without the support of our President, Bill Clinton.

On May 22, 1998, an overwhelming majority of voters in Northern Ireland and the Republic of Ireland approved the referendum to support the Good Friday peace agreement and establish a Northern Ireland Assembly. Unfortunately, though, the peace process has been dealt some recent setbacks.

The demand by unionist forces that Sinn Fein unilaterally decommission one year ahead of schedule before taking seats in the Northern Ireland Assembly has stalled the peace process. On Good Friday of this year, peace talks were suspended. The same happened again when talks in London were suspended. The outlook is not very optimistic. Today's Washington Post quotes Sinn Fein leader Jerry Adams as saying, ''The Good Friday Peace Agreement is in free fall.''

Mr. Speaker, the United States and the Republic of Ireland and the United Kingdom have invested too much to let this delicate peace agreement fall apart. Without a resolution between all parties, the peace process will come to a halt and the Northern Ireland Executive will not be established.

There is talk of closing down the Northern Ireland Assembly of 108 elected members until all parties can come to an agreement. This latest setback comes at a very terrible time. Weighing heavily is the fact that we are fast approaching the start of the Protestant Orange Order marching season, which acts as a catalyst for sectarian violence in the north of Ireland.

Now, let me say that my resolution does not attempt to take sides in the dispute over decommissioning and the seating of the Northern Ireland Executive, but rather commemorates the one-year anniversary of the Good Friday Peace Accord. I personally believe that Sinn Fein and Jerry Adams have been honest peace brokers in the peace process, and I find it troubling that David Trimble and the Ulster unionists have added preconditions to this agreement. They are holding hostage the people of Northern Ireland's right to determine their own local government and establishment of the Northern Ireland Assembly's Executive.

Again, Mr. Speaker, my resolution does not attempt to speak on the subject of who is or is not to blame for the recent stall in progress. My resolution does attempt to speak loudly as a Congress and as a country that the United States is committed to working with both the Republic of Ireland and the United Kingdom to ensure the success of the peace process in Northern Ireland.

Mr. Speaker, we cannot sit idly by while the peace process in Northern Ireland comes to a halt. I am disheartened that instead of celebrating, we are admonishing the parties to come back to the bargaining table, to understand that peace will bring prosperity to their children and to their children's children.

Making peace is difficult. It involves sacrifice, it involves hard work, and it involves dedication. As someone who has worked in a former career in the State Assembly of New York and has been involved all my life in Irish affairs, and whose mother is from Northern Ireland, I personally know how important the Good Friday Peace Accord was and still is to those who live in Northern Ireland, as well as to Irish throughout the world.

As conflicts rage around the world, especially in Kosovo, we must not forget about Northern Ireland and the work that had been done and the work that will continue to be done to bring peace to this troubled region. This resolution, which has 107 cosponsors, intends to move the peace process forward beyond this temporary hurdle and reaffirms the support of the Congress to the peace process as well as the work of all parties in establishing and securing a long-lasting peace in Northern Ireland.

In closing, I want to thank my colleagues and my cochair of the congressional ad hoc committee again, the gentleman from New York (Mr. GILMAN); the gentleman from Connecticut (Mr. GEJDENSON), the ranking member; the gentleman from Massachusetts (Mr. NEAL); the gentleman from New York (Mr. KING); the gentleman from New Jersey (Mr. SMITH), and all who have worked on bringing peace to Northern Ireland.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, I thank the gentleman from New Jersey for yielding me this time and for the leadership that he has provided on this most important of issues in our international relations. I would also like to thank my colleague, the gentleman from New York (Mr. CROWLEY), new to this Congress certainly, but not new to the issues regarding Ireland and the civil rights issues that we have seen come so clear in these past few weeks and months.

The Good Friday Agreement, which is what we have been talking about for the better part of the afternoon, seemingly died this Good Friday on its first anniversary. The discussions surrounding bringing the government together, as Jerry Adams, the leader of Sinn Fein said just yesterday, are in free fall.

This agreement is a good agreement. It has brought all sides and factions together to form a government. It has been supported by the Republic of Ireland government, it has been supported by the British government, it has been supported by the Clinton administration and by this Congress, and we have played a very constructive and important role, the Members of Congress, and especially the President.

At this point, however, it is in danger of going the way of other agreements and other peace arrangements in the history of Ireland. I do not know, Mr.

Speaker, what the answer is, but it strikes me, and I don't know if anyone else has suggested this, but it strikes me that maybe what we need to do is go to the President and say, Mr. President, you offered George Mitchell's good offices once before, and he was able to bring everyone together and get everyone working together to resolve this. Maybe what we need to do is see if we can enlist George Mitchell once again, the Senator from Maine, to go back and revisit this issue and try to get people back on track and back on board in implementing the original agreement.

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The original agreement was so finely crafted that nobody could change a comma, a period, a dot, or the crossing of a T. It was very delicate, and maybe he is the only one that can do that again.

But this was a good agreement. It needs to be stayed with. It requires the patience of all parties. But it is clear we are off track, and that even the best efforts of our president and the leaders of England and of Ireland have not been able to get parties back on track.

Mr. Speaker, having said that, I would also suggest that we need to be patient. We need to pray, and we also need to stay in contact with the leadership of those political parties to try to get them to keep working this out.

Mr. Speaker, I have just been advised that the gentleman from New York (Chairman GILMAN) has reached out to Senator Mitchell to try to bring him back into this. I think that is wise, and I certainly support those efforts.

Let me conclude by saying that the issue regarding the murder of the civil rights attorney who has been discussed, Ms. Nelson, which has been discussed this afternoon, that inquiry into her death absolutely must be independent of the RUC.

The RUC was implicated, not directly, certainly, but by her own testimony before the Committee on International Relations last year. She was concerned about them, about their statements and their actions regarding her own personal security, her inability to reach out to those, to that law enforcement agency, to help her to defend herself against threats against her life. It just makes good sense that they need to be held at arm's length.

We have offered the FBI. England has offered her constabulary in Kent. They need to do the investigation. The RUC needs to take a step back, especially given the volatility of the politics of the times, take a step back and let the professionals outside of Northern Ireland conduct this investigation, and do it fairly. Because if no one has any faith in the inquisitor in this, then there will be no faith in the result. There absolutely must be good faith in this process.

Mr. Speaker, I thank the gentleman for the opportunity to speak on these important issues. I thank my friends and colleagues for bringing this before the Congress, and I urge unanimous support.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from New York (Mr. WALSH) for his excellent statement and his leadership these many years on the issue of Northern Ireland, just to underscore how important it is that that investigation be completely independent of the RUC in order to procure a result that we know we can live with, and will hopefully yield the results and catch the perpetrators, because there are people who actually did the killing, and there are many others who are probably a part of that killing, and the officials need to get to the bottom.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING), my good friend and another great leader in the cause of human rights in the north of Ireland.

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

I want to commend the gentleman from New Jersey (Chairman SMITH) for his resolution regarding the investigation into the murder of Rosemary Nelson, and I want to commend the gentleman from New York (Mr. CROWLEY) for his work on bringing this resolution forward on this Good Friday Agreement.

Mr. Speaker, the Irish peace process is now in a very critical point in Ireland. The fact is that it was over a year ago that the Good Friday Agreement came to fruition. It was a hard-fought compromise with all sides making concessions, moving forward.

The fact is that the Ulster Unionist Party and the leadership of David Trimble is preventing implementation of this agreement by insisting on the precondition of decommissioning.

It is really not for us to be arguing the merits of decommissioning. The fact is that the parties signed an agreement. It was ratified by over 80 percent of all the voters on the island of Ireland. It was 95 percent in the south, and 75 percent in the north agreeing to the Good Friday Agreement, which did not impose any precondition whatsoever as far as the issue of decommissioning or any other issue, for that matter.

The fact is that right now the agreement is not being fully implemented. It is being stalemated, it is being held up, and there is a real risk that the peace process could come undone unless the agreement is implemented and unless the parties go forward.

I know suggestions were made here today that Senator Mitchell get involved. Certainly to me that is a good recommendation. But I think most importantly, the parties have to realize, and the governments have the prime responsibility, specifically the British government, have to realize that the agreement must be implemented. They cannot allow David Trimble to be holding it up.

I would ask that the administration continue the very good work it has done in helping to bring about the agreement in the first place, and now to ensure that the agreement not be allowed to founder and to collapse. Too much has gone on, too many lives have been lost, too much hard work has gone into this, too many sacrifices were made to allow one party to in any way frustrate the full implementation of the agreement.

This is something which has a tremendous human rights ramification, and it is something where so many people in the United States, including the President, have done so much to bring about the Good Friday Agreement.

When we talk about the implementation of the agreement, the fact is that it will never be fully implemented unless there is faith in the law enforcement system in the north of Ireland.

Quite frankly, there is very little faith in the Royal Ulster Constabulary among those in the nationalist community. That is why the resolution of the gentleman from New Jersey (Chairman SMITH) calling for an independent investigation into the murder of Rosemary Nelson is so essential.

Rosemary Nelson testified before the Committee on International Relations last year. She felt that she was being threatened by the RUC. Now to allow the Royal Ulster Constabulary to investigate a murder in which its own members may have been involved to me is unbelievable, it is wrong, it cannot be done, it should not be done, and if it is done, then it is going to cause more and more disenchantment by the nationalist community toward the law enforcement authorities in the north.

This is not the first case. There was the case of Pat Finucane which I am sure has also been mentioned earlier today, 10 years ago where there was strong evidence that the RUC was involved in his murder, yet it has never been fully investigated.

So on both these resolutions, I think it is a tremendous step forward by the Congress of the United States to show our involvement, to show our interest; to show that all Americans, whether they be of Irish ancestry, whether they be Catholic, Protestant, Jew, Muslim, atheist, agnostic, nonbeliever, we stand for the cause of freedom, the cause of justice, the cause of human rights.

That can best be advanced by the full enactment of this agreement, and secondly, by a full, complete, and independent investigation into the murder of Rosemary Nelson. I thank the gentleman from New Jersey (Chairman SMITH) for yielding time to me, I commend the gentleman from New York (Mr. CROWLEY) for his resolution, and I urge the adoption.

Mrs. McCARTHY of New York. Mr. Speaker, I rise today in support of House Concurrent Resolution 54.

We are here today in for a very important reason—to recognize the importance of the

first anniversary of the Good Friday Peace Agreement.

House Concurrent Resolution 54 honors all those who played an instrumental role in bringing peace to northern Ireland—from the Irish and English political leaders, to Senator Mitchell, to the people of northern Ireland. These people deserve our deepest respect—for their leadership, dedication and courage. They are the true heroes of the Irish Peace Process.

The resolution also reaffirms the bonds of friendship and cooperation that exists between our countries and that we will continue to work together towards peace in northern Ireland. Because now is a crucial time in the peace process. It would be easy for us to say we have the peace accord and then put it on the back burner.

But we can't do that. If we are going to ensure the long-term success of the peace accords and really achieve peace in Ireland, we must remain involved.

It is only through our continued commitment and the commitment of the people involved that we will see a true and lasting peace in Ireland.

Mr. LEVIN. Mr. Speaker, I strongly support House Concurrent Resolution 54, recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement. In stark contrast to recent events in Yugoslavia, the Good Friday Peace Agreement stands out as a hopeful example of how deeply-rooted, persistent and intransigent problems can be resolved peacefully, and how the cycle of hatred and violence can be brought to a halt.

In Northern Ireland, we see a situation in which the two sides have taken courageous steps towards bridging the gap that divides them. Many steps remain, but the principles for peace have been agreed upon, and they are embodied in the Good Friday Peace Agreement. Now is the time for full and timely implementation.

Problems and violence persist in Northern Ireland. The murder of human rights lawyer Rosemary Nelson represents one such unacceptable act of violence and a step in the wrong direction.

House Concurrent Resolution 54 communicates to our friends in Northern Ireland that we support them on their difficult road to a lasting peace, and that they must, now more than ever, stay the course. I urge support for the resolution.

Mrs. KELLY. Mr. Speaker, I come to the floor today in strong support of H. Con. Res. 54, which recognizes the historic significance of the first anniversary of the Good Friday Peace Agreement. When this agreement was reached on April 10, 1998, those who's lives had been destroyed by the last 30 years of violence, rejoiced at the promise of peace. Now, a year later, this historic peace agreement is dangerously close to failing.

The resolution before us today, salutes the parties who worked so diligently to bring about this historic accord, and it does so at a very appropriate time. Not only has the first anniversary of this agreement just passed, but its future is in jeopardy, the resolution reaffirms the need for the preservation of this accord and the ideals which it stands for. In today's Washington Post the head of Sinn Fein, Gerry Adams, is quoted as having said that ''the Good Friday Agreement is in free fall.'' At this juncture, all of the parties involved in the creation and implementation of this Agreement must try even harder to work together to create a lasting peace in Northern Ireland.

The commitment and support of the agreement by the people, in both Northern Ireland and the Republic of Ireland, was demonstrated by the overwhelmingly supportive outcome of the vote on the referendum on May 22, 1998. This affirmation further demonstrates the need to ensure that this accord make it past this troublesome point.

The United States has committed to remain involved, politically and economically, to ensure the long-term success of the peace agreement. We realize the importance of continued economic growth and stability in the region, as it will prove to be an instrumental part of any lasting peace. This resolution reaffirms this commitment, and reaffirms that the United States, as a friend of both Ireland and the United Kingdom, will continue to facilitate this peace.

None of this can be accomplished however, without the commitment of both sides to this peace. The violence needs to end and the seeds of trust need to be planted.

As you know, Mr. Speaker, this issue is very important to me. I will continue to do what I can to assist in this peace process, the violence has gone on long enough. I urge my colleagues to support this resolution and to continue to support the peacemaking efforts in Ireland.

Mr. DINGELL. Mr. Speaker, President Lincoln once said, ''Let us have faith that rights makes might, and in that faith let us to the end dare to do our duty as we understand it.''

Today, the leaders of Northern Ireland face a delicate, worrisome situation. It is up to the leaders to decide if the path to the future will be one of peace or one of war. After centuries of animus, and thirty years of vicious factional bloodshed, the opportunity for a lasting peace is real and within grasp. Just as real, unfortunately, is the grave possibility of renewed bloodshed, further factionalism, and renewed war.

Over a year ago, the leaders of factions in Northern Ireland made a monumental decision; they decided to pursue peace. It was a brave decision, one supported by all the people of Ireland but bitterly opposed by those unable to set aside their entrenched hatreds and swallow their bitterness.

One year after the signing of the Good Friday Agreement, the people of Northern Ireland again face tumultuous waters that could easily cast their boat into the sea of despair. They must have faith that the course they are on is the right one, and must believe, as Lincoln said, that right will make might. They must do their duty as best they can, and build the peace that they seek and deserve.

Last year, Nationalists and Loyalists, Protestants and Catholics, were successful in reaching the Good Friday Agreement only by engaging in democratic dialogue, serious yet principled compromise, and a mutual understanding that continued violence benefits no one. I commend their efforts, and hope that in the future they will be able to focus on other issues of mutual concern: bettering the economy, educating their children, and creating a democratic society where every man and woman is equal.

There have been setbacks. The murder of advocates of peace and justice, like Rosemary Nelson, should not be forgotten. But it is not their untimely deaths that should be remembered, but their lives, which they gave in hopes that others would enjoy the fruits of peace.

Mr. Speaker, on behalf of the many Irish-American residents of Michigan, I rise today in recognition of the many brave souls who have chosen peace over violence, and compromise over confrontation. I ask that all parties work together as partners to implement the Good Friday Agreement, and end the senseless violence that has plagued Ireland for far too long.

Mr. BENTSEN. Mr. Speaker, I rise today in support of H. Con. Res. 54, which recognizes the ongoing peace process in Northern Ireland and the historical significance of the Good Friday Peace Accord which was achieved just over a year ago, on April 10, 1998.

I join with my colleagues in congratulating the people of the Republic of Ireland and Northern Ireland for their courageous commitment to peace. By signing the historic Good Friday Peace Agreement in April 1998, leaders such as John Hume, David Trimble and Gerry Adams created a new era of peace and reconciliation for all the people of Northern Ireland. The recognition given to John Hume and David Trimble in receiving the Nobel Peace Prize was an important step toward memorializing the extraordinary achievements made by the proponents of peace. We should not forget, however, the many other people, without whom this process would not have even been possible. I commend the valuable and vital contributions to the peace process by President Clinton, former Senator George Mitchell, Prime Minister Bertie Ahern of Ireland and Prime Minister Tony Blair of Great Britain.

The Good Friday Peace Accord was an important achievement, marking the first step to ending thirty years of violence and bloodshed in Northern Ireland, reducing divisions between Unionists and Nationalists, and building new bridges of opportunity between the two communities. Through this process, they have committed ending years of mistrust and hatred, which has cost the lives of more than 3,200 people since 1969.

The text of the Good Friday Peace Accord contains important provisions calling for the formation of a Northern Ireland Assembly, a North/South Ministerial Council and a British-Irish Council. The agreement also contains critical provisions on human rights, decommissioning of weapons, policing, and prisoners. Voters in both Northern Ireland and the Republic of Ireland approved the Peace Agreement by a remarkable 85 percent majority on May 22, 1998, and elections to the new assembly were held on June 25. Since that time, prisoners have been released and the British have reduced their troop levels to the lowest point in twenty years.

Last August, I had the opportunity to participate in a seven-member Congressional delegation trip to Ireland, led by the Speaker of the House, Newt Gingrich and DEAN JOHN DINGELL. Our visit included meetings with representatives of the various parties to the Good Friday Peace Agreement, including representatives of the Ulster Unionist Party, Sinn Fien and the Social Democratic and Labour Party. We also met with senior leaders of Ireland and Northern Ireland, including Taoiseach Bertie Ahern, John Hume of the SDLP and Seamus Mallon, the Deputy First Minister of the Northern Ireland Assembly.

We were also able to review the peace process and discuss measures to strengthen

political, economic, and cultural ties between the United States and the Irish people. Through my experience, it was clear that there is a strong bond of cooperation between the people of the United States and Ireland, and deep appreciation for the U.S. role in negotiating the Peace Agreement.

Clearly, the discord in Northern Ireland will not be solved by the signing of one document. Significant progress must be made before lasting peace can be finally achieved. But we should recognize that the Good Friday Peace Agreement has changed the course of history for all the people in Northern Ireland. Lasting peace will only be realized by a thorough adherence to and completion of the measures outlined in the Good Friday Agreement and mandated by the people of Ireland.

As we recognize the first anniversary of this agreement, I am hopeful that all sides take every opportunity to make real progress toward its implementation. The United States has a strong national interest in helping this agreement to succeed.

Mr. GILMAN. Mr Speaker, Mr. CROWLEY's resolution on the Northern Ireland peace process is noncontroversial and worthy of everybody's full and strong support. It is also very timely. I congratulate the gentleman from New York, Mr. CROWLEY, for his efforts. The Irish peace process today needs a little more encouragement, as it has once again run into some obstacles in Belfast.

It is worthwhile praising the tireless and courageous efforts of British Prime Minister Blair, and Irish Prime Minister Bertie Ahern, and former Senator George Mitchell on the Good Friday peace accord. I have done so myself on many occasions.

President Clinton, I am also proud to say, has always had strong bipartisan support here in the Congress on his own efforts to find lasting peace and justice in Northern Ireland. I urge that he and our nation stay fully involved to help see the process through to lasting peace and justice in the north.

However, today we still see the old ''unionist veto'' in play. Once again the issue of arms decommissioning is being used to prevent the establishment of the cabinet executive as provided for in the Good Friday accord. There are some on the unionist side who when faced with the reality of living by the terms of the Good Friday accord and sharing power to which they and all of the Irish people consented to, decided to change the terms of the accord.

The negotiated solution in the north was based upon consent. It isn't the consent as dictated by one side, it's the consent of all of the Irish people—and they have spoken and agree to share power and end the unworkable unionish domination of the north.

The first anniversary of the Good Friday accord has come and gone. Yet today we do not yet have established the power sharing mechanism that the accord and the good Irish people both north and south, fully envision for the new Ireland. The people voted in referendum last May and then elected a new assembly to bring about real and concrete change. The status quo will no longer do.

I would urge both governments in the region, and President Clinton, to again call upon the good offices of Senator George Mitchell to once again be an honest broker to end the current impasse that may lead to the collapse of the Good Friday accord.

It may take again the master stroke of a man like George Mitchell, who is accepted by all sides as fair and objective, to save the Good Friday accord he worked so hard to develop and to gain consent from all the parties. George, we need you one more time! I hope both Governments will take this proposal to heart.

It is really time to get on with it, to create a new cabinet and to bring about real change and power sharing that will make the bomb and gun an obsolute means for resolution of grievances on both sides in the north of Ireland.

I urge the adoption of the Crowley resolution to both send a message of support for the peace process, as well as a call for the process to go forward within the frame work of the Good Friday accord as agreed to by all the parties.

Mr. RODRIGUEZ. Mr. Speaker, I rise to pay tribute to the Good Friday Peace Agreement signed on April 10, 1998, and to the continuing efforts to bring peace to Northern Ireland.

The conflict in Northern Ireland has been agonizing, not only in the region, but also among many Americans, including myself.

As a Texas State representative, I visited Belfast in the early 1990's and learned a great deal about the sources of so much tension and hatred in that historic region.

On that trip, I had a chance to meet many of the principals on all sides of the dispute.

I was able to put faces and personalities behind the struggle: members of Sinn Fein, Unionists, and other individuals that were trying to make a difference.

After my return from Northern Ireland, I worked with both parties in the Texas Legislature on the issue.

We passed legislation based upon the MacBride Principles to hold companies in Northern Ireland engaged in business with the State of Texas to nondiscrimination and equal justice.

As a Congressman, I have continued to deal with the Northern Ireland issue, endorsing efforts to leverage our presence in the region to foster a more tolerant and stable society.

I joined all of us in welcoming the breakthrough for peace last year by Special Envoy George Mitchell and the administration as they tackled this delicate problem.

As a cosponsor of this bill, H. Con. Res. 54, I continue to share in the hope that this region will take the final steps in realizing a just and lasting peace.

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

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con Res. 54, as amended.

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

A motion to reconsider was laid on the table.

WESTERN HEMISPHERE DRUG ELIMINATION TECHNICAL CORRECTIONS ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1379) to amend the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, to make a technical correction relating to an emergency supplemental appropriation for international narcotics control and law enforcement assistance, as amended.

The Clerk read as follows:

H.R. 1379

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 ''Western Hemisphere Drug Elimination Technical Corrections Act''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS RELATING TO RESOURCES FOR ILLICIT NARCOTICS IN CERTAIN FOREIGN COUNTRIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Subtitle B of title VIII of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), is amended by adding at the end the following:

''SEC. 826. FURTHER MISCELLANEOUS ADDITIONAL RESOURCES.

''(a) IN GENERAL.—There are authorized to be appropriated for the Department of State for fiscal year 1999 such sums as may be necessary to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291).

''(b) RULE OF CONSTRUCTION.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) are in addition to amounts made available to carry out section 481 of such Act under any other provision of law.''.

(b) CONFORMING AMENDMENT.—Title VIII of division C of such Act (Public Law 105–277) is amended in the table of contents in section 801(b) by adding at the end of the item relating to subtitle B the following:

''Sec. 826. Further miscellaneous additional resources.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in subtitle B of title VIII of division C of such Act (Public Law 105–277).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this bill.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, this bill is designed to correct a minor drafting error which was omitted in the legislative provision that

was passed last year as part of the Omnibus appropriation bill.

Because the waiver of the requirement for authorization was omitted from last year's supplemental, certain unauthorized parts of the agreed-upon package of assistance for Latin America to continue to help with the suppression of drugs cannot move forward.

In response, we have prepared an amendment to the underlying authorization bill. The change to the authorization will allow this to go forward as agreed upon in the statement of managers of the supplemental appropriations legislation.

The Department of State supports this legislation and is anxious to get these programs going. It is important, we believe, to the jurisdiction of the Committee on International Relations that the statutory requirement that all spending on foreign assistance be authorized, or that such a requirement for authorization be waived by statute.

All of this money has been appropriated and it will be spent. Our purpose here is to have it spent on the list that the Congress and the administration, and in particular General McCaffery, our drug czar, finally agreed upon. That is the list in the statement of managers accompanying the supplemental appropriations.

Accordingly, I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of this bill. This bill has been on and off the schedule today a few times, and I think we finally have a version that everyone is comfortable with. We are right to move this assistance to Peru, Columbia, Bolivia. Critical interests are at stake there. We have delayed this assistance long enough.

This bill will allow the Agency for International Development to provide assistance to those three countries for alternative development, which is critical to helping those farmers move from the cultivation of illicit and illegal crops to cultivation of legitimate and licit crops.

I was in Columbia recently, Mr. Speaker, to survey the damage of a recent earthquake in that country. The damage was unbelievable. Thousands were dead and tens of thousands were homeless. My colleague, the gentlewoman from New York (Ms. VELÁZQUEZ) and I were able to bring home to Queens two young girls who had been injured in that earthquake.

The people of the United States have provided critical assistance to the suffering people of Columbia. We as a Congress should be doing the same, putting together emergency assistance to address that emergency in Columbia.

I look forward to working with my colleagues to make sure that the suffering people of Columbia, ravaged by a tremendous earthquake, get the help that they need from the U.S. Congress. I support the bill.

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

Mr. SMITH of New Jersey. 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 New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1379, as amended.

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

The title was amended so as to read:

''A bill to amend the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, to make a technical correction relating to international narcotics control assistance.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained. Votes will be taken in the following order:

H.R. 573, by the yeas and nays;

H. Res. 128, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

AUTHORIZING AWARDING OF GOLD MEDAL TO ROSA PARKS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 573, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 573, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 424, nays 1, not voting 9, as follows:

[Roll No. 92]

YEAS—424

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
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
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
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
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
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
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaffer

Schakowsky	Stenholm	Upton
Scott	Strickland	Velazquez
Sensenbrenner	Stump	Vento
Sessions	Stupak	Visclosky
Shadegg	Sununu	Walden
Shaw	Sweeney	Walsh
Shays	Talent	Wamp
Sherman	Tancredo	Waters
Sherwood	Tanner	Watkins
Shimkus	Tauscher	Watt (NC)
Shows	Tauzin	Watts (OK)
Shuster	Taylor (MS)	Waxman
Simpson	Taylor (NC)	Weiner
Sisisky	Terry	Weldon (FL)
Skeen	Thomas	Weldon (PA)
Skelton	Thompson (CA)	Weller
Slaughter	Thompson (MS)	Wexler
Smith (MI)	Thornberry	Weygand
Smith (NJ)	Thune	Whitfield
Smith (TX)	Thurman	Wicker
Smith (WA)	Tiahrt	Wilson
Snyder	Tierney	Wise
Souder	Toomey	Wolf
Spence	Towns	Woolsey
Spratt	Traficant	Wu
Stabenow	Turner	Wynn
Stark	Udall (CO)	Young (AK)
Stearns	Udall (NM)	Young (FL)

NAYS—1

Paul

NOT VOTING—9

Boehlert	Gekas	Nussle
Ewing	Kasich	Saxton
Forbes	McCollum	Serrano

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

AUTHORIZING AWARDING OF GOLD MEDAL TO ROSA PARKS

Mr. BACHUS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 531) to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 531

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) Rosa Parks was born on February 4, 1913, in Tuskegee, Alabama, the first child of James and Leona (Edwards) McCauley;

(2) Rosa Parks is honored as the ''first lady of civil rights'' and the ''mother of the freedom movement'', and her quiet dignity ignited the most significant social movement in the history of the United States;

(3) Rosa Parks was arrested on December 1, 1955, in Montgomery, Alabama, for refusing to give up her seat on a bus to a white man, and her stand for equal rights became legendary;

(4) news of Rosa Parks' arrest resulted in 42,000 African Americans boycotting Montgomery buses for 381 days, beginning on December 5, 1955, until the bus segregation laws were changed on December 21, 1956;

(5) the United States Supreme Court ruled on November 13, 1956, that the Montgomery segregation law was unconstitutional, and on December 20, 1956, Montgomery officials were ordered to desegregate buses;

(6) the civil rights movement led to the Civil Rights Act of 1964, which broke down the barriers of legal discrimination against African Americans and made equality before the law a reality for all Americans;

(7) Rosa Parks is the recipient of many awards and accolades for her efforts on behalf of racial harmony, including the Springarn Award, the NAACP's highest honor for civil rights contributions, the Presidential Medal of Freedom, the Nation's highest civilian honor, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center;

(8) Rosa Parks has dedicated her life to the cause of universal human rights and truly embodies the love of humanity and freedom;

(9) Rosa Parks was the first woman to join the Montgomery chapter of the NAACP, was an active volunteer for the Montgomery Voters League, and in 1987, cofounded the Rosa and Raymond Parks Institute for Self-Development;

(10) Rosa Parks, by her quiet courage, symbolizes all that is vital about nonviolent protest, as she endured threats of death and persisted as an advocate for the simple, basic lessons she taught the Nation and from which the Nation has benefited immeasurably; and

(11) Rosa Parks, who has resided in the State of Michigan since 1957, has become a living icon for freedom in America.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to award to Rosa Parks, on behalf of the Congress, a gold medal of appropriate design honoring Rosa Parks in recognition of her contributions to the Nation.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2, under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS AS NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 573) was laid on the table.

CONDEMNING MURDER OF ROSEMARY NELSON AND CALLING FOR PROTECTION OF DEFENSE ATTORNEYS IN NORTHERN IRELAND

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 128, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, House Resolution 128, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 93]

YEAS—421

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

Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
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
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
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
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—2

Hostettler
Paul

NOT VOTING—10

Chenoweth
Cox
Ewing
Forbes
Kasich
McCollum
Nussle
Saxton
Serrano
Taylor (MS)

□1727

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TRANSMITTAL OF ACCOUNT OF ALL FEDERAL AGENCY CLIMATE CHANGE PROGRAMS AND ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations, the Committee on International Relations, the Committee on Science, the Committee on Commerce, and the Committee on Ways and Means:

To the Congress of the United States:

In accordance with section 573 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), I transmit herewith an account of all Federal agency climate change programs and activities. This report includes both domestic and international programs and activities related to climate change and contains data on both spending and performance goals.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 20, 1999.*

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1184, EARTHQUAKE HAZARDS REDUCTION AUTHORIZATION ACT OF 1999

Ms. PRYCE, from the Committee on Rules, submitted a privileged report (Rept. No. 106–101) on the resolution (H. Res. 142) providing for consideration of the bill (H.R. 1184) to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 2000 and 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Ms. PRYCE, from the Committee on Rules, submitted a privileged report (Rept. No. 106–102) on the resolution (H. Res. 143) waiving points of order against the conference report to accompany the bill (H.R. 800) to provide for education flexibility partnerships, which was referred to the House Calendar and ordered to be printed.

AUTO CHOICE ACT OF 1999

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

Mr. ARMEY. Mr. Speaker, today I am introducing the Auto Choice Act of 1999. This bipartisan bill, which is also being introduced today in the other body, is designed to give the American people a choice in the type of auto insurance they can buy.

Auto Choice offers drivers a way out of the current expensive lawsuit lottery by giving consumers the option to buy a policy that offers them prompt compensation for medical bills and lost wages from their own insurer, regardless of fault. According to the Joint Economic Committee, those who choose the new system would save 45 percent on their bodily injury premiums. This translates into an average savings of nearly $200 per policy, with low-income drivers seeing the greatest benefits. Over 5 years, the savings could total nearly $200 billion.

Mr. Speaker, this is like a tax cut for the drivers across the country, and it does not cost the Government a single dime. But not only does Auto Choice give consumers a choice, it also gives States a choice. States retain their traditional authority over auto insurance regulation and can accept or reject Auto Choice. Because it respects States' rights, Auto Choice has by called a ''model of federalism.''

Mr. Speaker, Auto Choice protects consumers' wallets, ensures compensation for victims, respects States' rights, and gives drivers a choice when and where to buy their auto insurance.

I am proud to sponsor this important bipartisan initiative and look forward to its passage in the 106th Congress.

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

The Auto Choice Reform Act will go far toward taking needless litigation costs out of our auto insurance system. It will save consumers billions of dollars annually, while ensuring speedier recovery of medical bills, lost wages, and other economic damages. By encouraging states to eliminate the middle-man—trial lawyers who add significant costs to the system—the Auto Choice Reform Act will produce significant savings while also fully protecting injured motorists' right to recover.

When injured parties are involved in a car accident under the tort system, legal fault must be established to recover money for economic damages. This is not an easy task, and often requires the parties involved to hire lawyers and go to court. It is a costly and tedious process, and can take up to 16 months for adjudication, and longer when the injury is serious. The delay in payment puts pressure on the seriously injured, particularly the poor, to settle their claims for less than they are worth.

The determination of legal fault is no guarantee that an injured person will receive equitable compensation. People with economic losses up to $5,000 recover two and three

times their losses, while a victim with medical expenses and lost wages between $25,000 and $100,000, recovers on average only half of those losses. For people with catastrophic injuries and losses over $100,000 recovery drops to nine percent on average. There are two main reasons for this: First, insurance companies find it more cost-efficient to settle small nuisance claims for more than they are actually worth to avoid expensive litigation costs. Second, seriously injured accident victims recover just a small percentage of their damages because their losses typically exceed the other driver's policy limits.

The Auto Choice Reform Act gives drivers a less expensive, more efficient alternative to this process. It allows victims to bypass the litigation maze and guarantees more just compensation, helps to prevent fraudulent claims, and provides the possibility of tremendous savings for American auto insurance consumers. A few of the benefits of the Auto Choice Reform Act are highlighted below:

Flexible Choice. Under the Auto Choice Reform Act, drivers can choose the form of auto insurance they believe is best for them and their families. One route would be for drivers to choose a policy similar to that now available in their state, either tort or no-fault insurance. Another route would be to choose the new PIP option.

Prompt Payment. The new choice, called personal insurance protection (PIP), would pay the injured person within 30 days for medical bills and lost wages, regardless of fault. The victim could also recover compensation from the at-fault driver for any additional medical bills and lost wages above the victim's policy limits.

Better Compensation for Serious Injuries. Under both systems, parties could make a claim against at-fault drivers for medical bills and lost wages in excess of their own insurance. In such situations, because injured persons could recover from both their own coverage and the at-fault driver's coverage, people would receive more compensation for serious injuries. Additionally, drivers in either system would be able to seek both economic damages and pain and suffering from drivers who operate a vehicle while under the influence of alcohol or illegal drugs, or engage in intentional misconduct.

Less Fraud. Because people who choose the new PIP option could neither sue nor be sued for pain and suffering, most of the incentives for fraud would disappear. As a result, for those who choose PIP, compensation for economic losses would increase dramatically, while dollars paid for fraud, pain and suffering and unnecessary attorneys' fees would plummet.

Savings. A March 1998 Joint Economic Committee study estimates the savings at about 45 percent on average for personal injury premiums, which translates into about 24 percent of overall premiums, or about $184 per year, per car for the typical American driver. The JEC also found that low-income drivers would see higher savings—about 36 percent on their overall premiums.

In addition, Auto Choice promotes federalism. It gives states the option to not extend the first-party liability coverage option to their residents by passing a law precluding such a system. Regardless of whether states choose to subscribe to the bill's insurance choice system, they will maintain their current regulation authority over all aspects of auto insurance.

Finally, it is important to note what Auto Choice will not do. Auto Choice will not abolish lawsuits or eliminate the concept of legal fault. Drivers who chose to remain in the current tort system will still be able to recover for both economic and noneconomic losses. Those who choose to enter the new system can still sue for any uncompensated economic loss. And, victims of drunken or other negligent driving may sue for both economic and noneconomic losses.

Given these significant benefits to consumers, the Auto Choice Reform Act enjoys bipartisan political support—from Rudy Guiliani to former Massachusetts governor Michael Dukakis. It is endorsed by the U.S. Chamber of Commerce; consumer advocate Andrew Tobias; Citizens for a Sound Economy; and taxpayer advocate Grover Norquist.

My colleague, Mr. MORAN, and I hope that others will consider joining in our ongoing effort to find ways to help hard-working Americans to save more of the money they earn.

April 20, 1999.

DEAR COLLEAGUE: On Tuesday, April 20, 1999, I introduced the Auto Choice Reform Act of 1999. The Monday, April 19, 1999 edition of the Washington Times carried an op-ed by Robert R. Detlefsen of Citizens for a Sound Economy (CSE) which outlines the philosophy behind Auto Choice—ridding our nation's courts system of frivolous lawsuits and helping car insurance consumers achieve lower annual premiums. I commend this article to you as yet another way that we can help American families and consumers keep more of what they earn for themselves.

Sincerely,

DICK ARMEY,
Member of Congress.

TRAINING EXERCISE IN VIEQUES KILLS DAVID SANET RODRIGUEZ AND INJURES FOUR OTHERS

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

Mr. ROMERO-BARCELO. Mr. Speaker, I rise this afternoon with very sad news indeed.

Yesterday, during a training exercise in Vieques, Puerto Rico, two U.S. F–18's dropped bombs that exploded 65 feet from an observation post in Camp Garcia, which is a Navy facility, and killed Mr. David Sanet Rodriguez, a civilian employee of the Navy, and injured four others.

I am saddened by this most unfortunate and tragic error, and I want to convey my deepest sympathy to the family of Mr. Sanet Rodriguez and the Navy employees that were injured.

The need to defend our democracy has required many personal sacrifices for the people of Vieques throughout the past 30 years. The bomb yesterday was off target, although still within the military base, but who can guarantee that sometime in the future it will not be off target in the inhabited part of Vieques?

Because my biggest concern is for the safety, security and welfare of the 8,500 American citizens residing in Vieques, I join the Governor of Puerto Rico in calling for an order to cease all bombing and military maneuvers in Vieques until a thorough investigation is conducted and until it can be guaranteed that there are no future risks to the residents of Vieques.

Mr. Speaker—I rise this afternoon with very sad news indeed. Yesterday, during a training exercise in Vieques, Puerto Rico, two U.S. F–18's from the U.S. Navy dropped bombs that exploded 65 feet from an observation post in Camp García, which is a Navy facility in Vieques, and killed Mr. David Sanes Rodríquez, a civilian employee of the Navy and injured four other Navy employees.

I am saddened by this most unfortunate and tragic error and want to convey my deepest sympathy to the family of Mr. Sanes and the Navy employees that were injured. Our prayers and blessings at this trying time are with them and their families.

This military accident is a tragedy. Vieques has held an important role in the defense readiness of our armed forces, and the maneuvers being carried out during this week involve the USS John F. Kennedy battle group as the force prepares for deployment in Operation Southern Watch ongoing in Southern Iraq in the Gulf War.

The ability to defend our American democracy effectively has entailed many personal sacrifices and I want to express my support at this critical time to the people of Vieques who have sacrificed throughout the past 30 years in support of our armed forces. The bomb was off target in military soil yesterday, but who can guarantee that sometime in the future it will not be off target in the inhabited part of Vieques.

Because my biggest concern is for the safety, security and welfare of the 8,500 American citizens residing in Vieques, I join the Governor of Puerto Rico in calling on President Bill Clinton, Secretary of Defense Cohen and Navy Secretary Richard Danzig to cease all bombing and military maneuvers until a thorough investigation is conducted and until it can be guaranteed that there are no future risks to the population of Vieques.

As the 8,500 Puerto Rican-Americans in Vieques have so contributed to our nation's defense readiness, I am hereby calling on the Navy to recognize their contributions and their unwavering support despite the inherent risks. The Navy must make further efforts to look for alternatives to the use of ¾ of Vieques for military exercises, so that Vieques may look forward to a peaceful, safe and prosperous future.

□ 1730

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). 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.

MEDICAL SAVINGS ACCOUNTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise tonight to say a few words about medical

savings accounts. Unfortunately, medical savings accounts have fallen victim to partisan political posturing. That is unfortunate because MSAs will insure the uninsured, allow for choice of a doctor, and put the health care decisions in the hands of the individual, not a managed care administrator.

Six years ago, along with a dozen of my Democratic colleagues, I cosponsored legislation to create medical savings accounts. In fact, Democrats were the initial sponsors of MSAs, and MSAs unanimously passed the House Committee on Ways and Means in 1994 during the debate on the Clinton health care plan. However, after the Republicans took over Congress, MSAs became a partisan football that was used to polarize the House of Representatives.

But I want to make medical savings accounts a bipartisan issue once again. So the gentleman from Texas (Mr. ARCHER) and I have introduced H.R. 614, the Medical Savings Account Efficiency Act of 1999. This bill repeals the 750,000-person cap that was placed on MSAs by the 1996 Kennedy–Kassebaum Health Insurance Act and it makes medical savings accounts permanent, thereby repealing the year 2000 sunset of MSAs.

Repealing the 750,000 cap is significant in that many insurers have been reluctant to offer MSAs because these restrictions limited the size of the market in which MSAs could be offered. Therefore, insurers will mass market MSAs and make millions of Americans aware of the benefits of medical savings accounts.

By opening up MSAs to all Americans, MSAs would encourage savings for health care. By forcing doctors and hospitals to compete for patients who are concerned about quality and cost, health care spending will slow down. Likewise, MSAs will provide a real incentive to shop around for the best values and alternatives when nonemergency treatment is needed. The incentive? Consumers will keep the money they save.

Critics of MSAs claim that this incentive will lead healthy people to choose MSAs, leaving sick people in a separate and therefore more expensive health insurance pool. But while many healthy people will choose to save the money, the sick will also choose MSAs because their out-of-pocket cost will be less.

In addition, MSAs are not just for the wealthy. A GAO study found that one-third of all new MSAs are opened by previously uninsured individuals.

These are additional reasons that MSAs are good for the consumer. Medical savings accounts will reduce administrative overhead, as small bills will be settled and paid directly between provider and consumer. They will also increase the record low savings rates of Americans. Lastly, MSAs provide an incentive to stay healthy. Preventive medicine will be encouraged.

These are the reasons I supported MSAs back in 1994 when I first heard about them, and these are the reasons I support medical savings accounts today. So I say to my colleagues, as we wade into health care reform in the 106th Congress, include medical savings accounts in any health insurance measure that will come out of this Congress because medical savings accounts will cut cost, provide choice, promote healthy lives, and save money for the consumer. Mr. Speaker, that is the epitome of reform.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

(Mr. ENGLISH 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 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 Arizona (Mr. SHADEGG) is recognized for 5 minutes.

(Mr. SHADEGG 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 gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR 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 Missouri (Mr. HULSHOF) is recognized for 5 minutes.

(Mr. HULSHOF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SITUATION IN KOSOVO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, I have spoken several times over the last few days about the situation in Kosovo. Unfortunately, as a former editor of Foreign Affairs magazine wrote recently in the Washington Times, the President has put us in an impossible situation.

There is no good answer. As Henry Kissinger said, ''Ethnic and religious fighting is endemic to the Balkans and has been going on there for hundreds of years.'' We cannot stop it unless we stay there forever at unbelievable costs to our taxpayers.

Do we mortgage the futures of our children and grandchildren to temporarily make things a little bit better in Kosovo? Everyone agrees that Milosevic is a tyrant. He is a communist dictator. I am certainly not defending him in any way.

In fact, I went to Yugoslavia 2 years ago with the National Defense Council. While in Belgrade, I, along with three other Members of this body, appeared on radio station B–92, which was the main opposition station to Milosevic. But as many columnists and commentators have pointed out, our bombings have basically created the refugee situation and have strengthen Milosevic.

Everyone has tremendous sympathy for the refugees. But several hundred thousand Serbians were forced out of Croatia not long ago. They were victims of ethnic cleansing then, and we did nothing about it. And as many people have pointed out, there are small wars or fighting going on in 30 or 40 different places around this world right now. Several of those situations were far worse than in Kosovo before we started the bombing.

There apparently is little disagreement with the description that the Kosovar Liberation Army is a terrorist organization and one that has been funded primarily by illegal drugs.

On MSNBC this past Saturday night, the question was asked about the refugee crisis, whether it was created by NATO bombs or Serbian troops. Sixty-five percent of the many thousands of callers said NATO bombing was mainly at fault.

NATO is getting ready to hold one of the biggest parties this city has ever seen here this weekend. I believe NATO and our President thought Milosevic would cave after just a few days of bombing and that they could then toast each other in a great victory celebration for the 50th anniversary party of NATO this weekend.

What a miscalculation. That was certainly one of the greatest miscalculations in American history and, unfortunately, one that is costing American taxpayers $46,000 a minute and many, many, many billions before it is all over.

We are about to be asked to appropriate $6 billion in emergency funding. And if we go into a ground war, they estimate that is going to be $10 or $15 billion and that before it is all over, if this thing drags out, we could spend $40 or $50 billion that would have to be taken from other programs or from the Social Security fund.

All of this that I am saying today was said much more eloquently in a column written by A.M. Rosenthal of the New York Times which ran in the Knoxville News Sentinel this morning. Mr. Rosenthal wrote this. He said, ''The way adults of any intelligence can find out how well they are dealing with a crisis, personal or national, is to ask themselves two questions: Would we do the same things again if we had

a chance? If not, what do we now do to get out of this mess?''

Then Mr. Rosenthal asked these questions: ''Would the United States again decide that to help Kosovo's Albanians we would give Slobodan Milosevic what he wanted most, the cover to drive a million of them into foreign exile or become displaced persons at home, wandering their roads in terror? Would we spray bombs at a dictator without it occurring to our leaders he would immediately drive out or slaughter the people we were supposed to save? Were our leaders fools?'' ''Yes'' Mr. Rosenthal says.

Would the U.S. President again decide that before going to war he would guarantee not to send ground troops so Milosevic need not get all worried?

''Would we again bomb-bomb-bomb the capital of the Serbs, who thought of themselves as far more our friends than his? So far this has produced three major results: humiliating Serbs forever, turning friendship into enmity, and persuading many to rally around a man they detest and fear.

''Would we be roaming around again with a diplomatic begging cup asking Russia, the same addled country that we pity, or any other country that will answer the phone, to find a way out for us?

''Would we again allow Washington to weaken the world's human rights movements by arousing fears that they will one day mean more bombing assignments for America?''

Mr. Speaker, just to sum up what we really have done, we have turned friends into enemies at great cost to this country. And I think that, unfortunately, we have gotten into one of the biggest messes we have ever gotten into in this country, and we need to negotiate and get out of this mess as soon as we possibly can.

WAGER ON DUKE UNIVERSITY-MICHIGAN STATE GAME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I am here to acknowledge defeat in a wager that I encountered with the gentleman from North Carolina (Mr. ETHERIDGE). We bet, as unsuitable as some might feel about wagering, but we bet on the Duke-Michigan State game, and the loser was to furnish each member of the Committee on Agriculture with an agricultural product from their State.

As great a team as Michigan State is and was, they ended up slightly being defeated by Duke University. And I just wanted to announce publicly that I am furnishing each member of the Committee on Agriculture with tokens that represent Michigan, navy beans from the State of Michigan, the world's top producer of navy beans; and also from Battle Creek, Michigan, a new cereal by Kellogg.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

(Ms. BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1745

GOLD MEDAL FOR ROSA PARKS IN RECOGNITION OF HER CONTRIBUTIONS TO THE NATION

The SPEAKER pro tempore (Mr. GARY MILLER of California). Under a previous order of the House, the gentlewoman from Florida (Mrs. MEEK) is recognized for 5 minutes.

Mrs. MEEK of Florida. Mr. Speaker, I stand today in support of H.R. 573, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

Mr. Speaker, I want to commend my colleague, the gentlewoman from Indiana (Ms. CARSON), for introducing this important piece of legislation to honor a true American heroine and, indeed, a great American.

Forty years ago, Rosa Parks risked everything when she refused to abide by the Jim Crow laws of segregation. In 1955, blacks were considered secondary human beings. Everything was segregated, Mr. Speaker, in 1955, schools, parks, restaurants, rest rooms and neighborhoods. I lived through that time, Mr. Speaker. This was just to name a few of the areas where segregation reigned.

In Montgomery, Alabama, Rosa Parks became a pioneer of black people, being the catalyst that changed the course of history. Rosa Parks spoke out for every black person throughout the Nation who was being denied equality and freedom. Mrs. Parks refused to move and relinquish her seat to a white man because she was tired. She was tired of the foolishness, she was tired of the selfishness, of the rudeness, and she was tired of the disrespect, and the day that Mrs. Parks refused to move was a turning point, was a turning stone in America that changed the unfair, indiscriminate laws that were made for blacks in the United States.

In one simple act of defiance, Mr. Speaker, Rosa Parks, on December 1, 1955, in Montgomery, Alabama, history was made. I am a part of that history, Mr. Speaker, and so is every other African American that we see in the Congress. Because of the courageous act of Rosa Parks, I stand before my colleagues today as the first African American from Florida elected to the Congress since Reconstruction. It was Rosa Parks who made this happen, Mr. Speaker, and we want America to understand this. This will help America understand, to see the fight that Rosa Parks put up so that the rest of us could have a better chance.

This award perhaps should have been bestowed on Rosa Parks several years ago because her deeds have paved the way for generations of African Americans today. My daughters and my son, Mr. Speaker, will have a better chance now of coming to Congress or even being President of these great United States because of Rosa Parks.

I ask my colleagues to join me and urge our President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her outstanding contributions to the Nation. She gave to the world the best she had, and now the best will come back to her.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

(Mr. TANCREDO 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 Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized for 5 minutes.

(Mr. ROMERO-BARCELÓ 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 gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A DRUM MAJOR FOR JUSTICE—MRS. ROSA PARKS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I stand tonight as a very proud black woman, a woman who came from Alabama, one who was there during the time of the Rosa Parks venture. Before I go on to talk about this woman who should, by all stature, receive this congressional medal, let me congratulate my colleague and friend, the gentlewoman from Indiana (Ms. CARSON), who had to come to the 105th Congress to sensitize us of the importance of recognizing this heroine that we call Rosa Parks.

She is the mother of civil rights because it was in December of 1955, Mr. Speaker, that Rosa Parks refused to get up after having spent all day as a seamstress to give her seat to a man who was nonblack, who thought that he was to sit at the front of the bus and she was to sit in the back where there were no more seats.

Mr. Speaker, Rosa Parks showed courage, dedication and commitment

to the cause of saying that everyone should be equal when they paid their fare to ride a bus. That ignited the civil rights movement.

We know that the mother of civil rights, Rosa Parks, was the catalyst in bringing about the civil rights laws that we now know because when Rosa Parks refused to get up from her seat, it was the Reverend Dr. Martin Luther King who said: I will not stand for this woman to be removed from a bus and not fight for cause. Indeed, she is a drum major for justice.

So on Monday, April 19, 1996, the United States Senate unanimously approved legislation to award the congressional medal to a woman who is deserving of that, an icon of the civil rights movement. According to Mrs. Parks, she has been pushed as far as she could stand when she was arrested in Montgomery, Alabama, in 1955, for refusing to give up her seat and move to the back of the bus.

As I look at myself as the vice chair of the Women's Caucus here in the U.S. Congress, I know that I would not be standing here had it not been on the shoulders of Rosa Parks, a woman who saw a need to open the doors for opportunities for all of us, not only African American women, but for all women in this country. Mrs. Parks is an integral part of the civil rights movement which led to sweeping changes of the laws and the social fabric of these United States. These changes, due in part to the efforts of Mrs. Parks, have paved the way for not only the opportunities for me, but for my grandchildren, my granddaughters and my grandson.

She is a quiet strength, Mr. Speaker. If you have seen her, you would wonder how this woman, who seemed to be so frail perhaps, would have done this; but her strength and her courage and her commitment and her faith caused her to say: I shall not be moved, I shall not return back to the days of degradation . . . So, she is truly a drum major for justice, Mr. Speaker.

I am so proud that this House now has seen befitting for it to bestow a congressional medal on a woman who deserved this. She will now take her position and stand with Mother Teresa and Nelson Mandela as persons who changed the core of this civil rights movement in this country and in this world and made it better for all of our children, black children, white children, brown children, red children, yellow children, to have the opportunities that should be accorded them in these United States.

Mr. Speaker, I am so happy to be a part of the 106th Congress who bestowed a congressional medal on such an outstanding woman.

Mr. Speaker, on Monday, April 19, 1999, the United States Senate unanimously approved legislation to award the Congressional Gold Medal to Rosa Parks, an icon of the civil rights movement.

According to Mrs. Parks she: "had been pushed as far as she could stand," when she was arrested in Montgomery, Alabama in 1955 for refusing to give up her seat and move to the back of the bus, as mandated by law. This courageous act of civil disobedience led to the Montgomery bus boycott, which helped to form the foundation of the civil rights movement in this country.

Mrs. Parks was an integral part of the civil rights movement, which led to sweeping changes of the laws and social fabric of the United States. These changes, due in part to the efforts of Mrs. Parks, have paved the way for increased opportunities for all Americans.

The title of Mrs. Parks' autobiography "Quiet Strength," is a fitting title and description of a woman whose selfless act made this country a better place, and whose life should serve as an example of public service. Mrs. Parks is truly a drum major for justice and it is for these reasons that Congress should honor this American hero with the Congressional Gold Medal.

MATHEMATICS AND SCIENCE EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 60 minutes as the designee of the minority leader.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is a pleasure to lead the House's special order on mathematics and science education.

Mr. Speaker, it is difficult to imagine a successful enterprise during the 20th century that has not involved proficiency in math and science. Skilled mathematicians and scientists have led the way in smashing the atom, discovering vaccines and cures for diseases, landing astronauts on the moon and developing the Internet. In fact, a notable author has heralded the last 100 years as the American Century.

It is no exaggeration to say that mathematics and science provided the bricks and mortar that helped the U.S. construct its prominence on the world stage as a leader in the global economy and its sole status as superpower.

Mr. Speaker, if the U.S. is to maintain its status as a world leader, it is necessary to fundamentally change how America looks at education and specifically mathematics and science education.

The House Democrats have joined with President Clinton to improve education. We recognize that a high-quality education will ensure that today's students will become the skilled employees and business leaders of tomorrow. The Democrats have strongly supported measures to reduce class size, to repair outdated school facilities, to construct new schools and to ensure that public schools are safe places for our children to learn. These are important initiatives.

We believe that it is in the national interest that improvements are made not only in our country's school architecture, but also in how we teach our students mathematics and science in kindergarten through the 12th grade. Toward this end, we believe that greater emphasis needs to be placed on the training and recruitment of mathematics and science teachers. We need to make changes in mathematics and science curricula to give some students more access to computers. We can make improvements to study math and science in greater detail rather than focusing on just the basics.

Today I would like to highlight some of the problems that exist when it comes to mathematics and science education. We will examine how these educational shortcomings adversely affect the recruitment of employees to businesses, particularly in the field of information technology and other information-based fields.

When it comes to mathematics and science education in the U.S., students need practice and more practice. Compared to their international peers, American students ranked near the bottom in the Third International Mathematics and Science Study that was released last year and in 1996. Results at the third and fourth grade levels showed that Korea was the top-performing country in science; Japan was second; and the U.S. and Austria shared the third position.

In mathematics, Singapore, Korea, Japan and Hong Kong were the top, while American students came in in 12th place. For 12th graders, U.S. students ranked 16th in their knowledge of science and 19th in their knowledge of mathematics among the 21 competing countries. That is unsatisfactory.

These findings underscore that U.S. students do not share the same proficiency in mathematics and science that their overseas peers have. Since these students will comprise tomorrow's work force, they will have a direct impact on our country's ability to compete in the global economy.

There are many of us in the House who believe that the President and Congress need to embrace public policies to improve mathematics and science education. As the Subcommittee on Basic Research's ranking member, I have had several discussions with representatives of the information technology community. These business people have expressed their frustration in not being able to find qualified job applicants. In fact, one chief executive officer testified last month that in his company he had received 630 resumes in the first 6 months of its start-up, and of those considered qualified, none were American born. One out of 10 jobs in information technology is currently unfilled according to the Information Technology Association of America. One in three job applicants tested by U.S. companies lacks the reading and mathematics skills for the job as reported by the American Management Association.

These statistics reveal that there is a direct relationship between proficiency in math and science as a student and one's ability to be a successful employee in the evolving information-based workplace.

□ 1800

American Airlines, for example, is a major employer in my congressional district. This company has written me to express its interest in having a highly-trained workforce.

''Dear Representative JOHNSON: American Airlines, for instance, relies heavily on complex computer systems in order to plan and coordinate 2,200 flights, track over 300,000 pieces of baggage moving through our system and manage 343,000 reservation calls each day. Approximately two-thirds of American Airlines' 125,000 employees use computers on a daily basis, and our pilots, yield management specialists, and flight operation personnel depend on advanced math and computer skills in the routine performance of their jobs.''

Some schools have already recognized the importance of promoting mathematics and science education. They have implemented programs that are developing our students' skills in math and science. These institutions ought to be commended for their efforts and encouraged to push the envelope when it comes to math and science instruction.

The Yvonne A. Ewell Townview Magnet Center located in Dallas in the low income area of my district is one school that provides cutting edge instructions of mathematics and science through its School of Science and Engineering.

In addition to the Science and Engineering School, the Townview campus has schools of business and management; education and social services; government and law; health professions; and talented and gifted.

The Townview campus, particularly in the Science and Engineering School, has many of the features that other American schools need to help other students compete in the 21st century's workforce. These components include small classroom size, the latest in computer technology, job site based internships that are related to the curriculum, independent learning, and a highly trained teaching staff.

Townview students participate regularly in academic and technological competitions. They have even built voice-activated robots. I salute Townview students and its faculty. One component of the Townview experience sheds some light on one way that schools can improve education opportunities for children. That is through the development of partnerships between schools and the businesses in their community.

Businesses can work with schools in their communities to do such things as donate computer equipment, set up job site internships for students, as well as the establishment of college scholarships for promising math and science students.

Last month, I introduced the Math and Science Proficiency Partnership Act, H.R. 1265, to improve mathematics and science education for students kindergarten through the 12th grade, as well as to increase training for math and science teachers.

The purpose of H.R. 1265 is to encourage partnerships between schools and businesses in their communities, to improve lower test scores by students and to enrich the applicant pool for high technology firms in other fields dependent upon engineering and math. My area is prolific in its need for this skill and it will grow as we move into the 21st century.

Schools in urban and rural areas do not always have the resources that other schools have. Schools and the businesses located in their communities are strategically poised to partner with each other. My bill authorizes the National Science Foundation to award 10 partnership grants through its urban and rural systemic initiative programs.

The National Science Foundation director will make five grants to urban areas and five grants to rural areas. Each grant will not exceed $300,000 and the total amount authorized is only $3 million, a small amount for the need that this entire Nation needs for its workforce for the future.

The purpose of the partnership grants is to assist in training of math and science teachers and to further education opportunities for science and math students. The grants will be awarded to schools that have successfully established partnerships to accomplish the above-mentioned teacher training and educational opportunities for mathematics and science students.

Eligibility of the grants will be based on how well the participating schools and businesses have forged their partnerships. Ways that schools can participate include sponsoring advanced and innovative training for math and science teachers. Ways that businesses can participate in the partnership include setting up college scholarship programs for promising math and science students, establishing mentoring and internship programs at the company's job site, as well as donation of computer hardware and software to participating schools.

The legislation directs the National Science Foundation director to conduct a long-range study on the students who have participated in the partnership program and their ability to land and to retain jobs in math and science and information technology.

I urge my colleagues to cosponsor this bill but, moreover, I continue to urge the entire Congress to look at these areas because it impacts directly on our economy in this global society. The ability of students to be skilled in mathematics and science education is directly linked to whether the U.S. and its companies will be successful in the 21st century. That is why schools and businesses need to increase their efforts to establish these partnerships now, so that today's students can take their places in the skilled information workforce tomorrow.

Mr. Speaker, I yield to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, I thank my colleague, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for yielding me this time.

Mr. Speaker, as a former high school physical science teacher, I know the value of science education, and I remember the sense of anticipation and excitement that my students shared with me when we huddled around a television set as Neil Armstrong stepped onto the moon in 1969. I saw the gleam in their eyes that inspired them to become our future engineers and scientists, those of today.

Unfortunately, today's scientists and engineers do not accurately represent the ethnic and racial makeup of our melting pot society. In fact, the Beaumont Independent School District is comprised of about 70 percent minority students and, of those, 55 percent are considered to be economically disadvantaged.

We must do something today to ensure that every child in every home or apartment building in this Nation, regardless of their color, religion, economic status, can realize their dream of becoming an astronaut or physics instructor or researcher.

Mr. Speaker, I rise this evening to talk about an exciting program in my southeast Texas district that motivates school-aged minority students to study math and science and explore new frontiers where no man or woman has gone before.

As a member of the Subcommittee on Space and Aeronautics, I was able to help Lamar University in Beumont to secure a space, science and technology educational program grant to provide disadvantaged high school students with science curriculum and related hands-on interactive learning activities.

For example, students from my hometown will be going on a field trip to Austin, Texas, to explore the relationship between astroid impacts and the extinction of dinosaurs more than 65 million years ago by studying dinosaur tracks. So far, this program has trained more than 200 teachers and has benefited more than 23,000 students in Beaumont public schools.

It is also worth pointing out that the in-kind and cash contributions of the consortium members total more than $800,000. Moreover, Lamar University, which is my alma mater, waived the institutional overheads for this program because of its wide-ranging regional impact on the education of southeast Texas youth.

I am not a gambling man, Mr. Speaker, but I bet that NASA's educational grant will turn out to be a wise investment in the future of engineering, technology and scientific research. My guess is that a decade or so from now there will be men and women who attended Beaumont Independent Schools working as astronauts and physicists at NASA and other space industries. That is what I am banking on.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I want to thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for putting this together and giving us a chance to speak on the important subject of science and math, and also for representing our subcommittee.

I also want to thank the gentlewoman from Texas, our distinguished ranking member of the Subcommittee on Basic Research, for bringing us here together today. I am very proud to serve on her committee, and under her leadership I am enjoying exploring important issues like math, science and technology education for our children.

As one of the few members of both the Committee on Science and Committee on Education and the Workforce, how our children learn math, science and technology is extremely important to me and I consider it important for everyone in this Nation.

Math and science have not only shaped our history but now, more than ever, will shape our future. I am concerned, however, that our students are not learning math, science and technology as well as students of other countries, the countries that we compete against in the global marketplace. This is reflected in the Third International Mathematics and Science Study, which measured fourth, eighth and twelfth grade students in the United States with comparable countries.

Disturbingly, by the 12th grade our students were ranked among the lowest in math and science, and in physics we finished last. I know we can do better. We must do better and we will, but we first need to deepen our commitment to math, science and technology education.

A recent President's Committee of Advisors on Science and Technology, or PCAST, report recommended an applied research study to determine what has been effective and what has not been effective in teaching our children math, science and technology. The Ehlers report last year pointed out that we spend about $300 billion annually on education but only about 1/100th of a percent of that is spent on researching how our students learn.

Again, I hope that the bipartisan desire to improve math, science and technology education will lead to increased funding for education research so that our children can grow into our country's current role as a nation of innovation.

Even more concerning to me, however, is that too many girls have been largely left out of the technological revolution. A recent news story had a brother and a sister talking about their interest in computers. The girl said, and I quote, I do not like them. I only use them when I have to. The boy, on the other hand, saw computers as a tool to make his work easier.

It is clear that there are inequities in the education system between boys and girls, and that this would be the worst time to step away from fixing those imbalances. We are finding that girls do well with math and science education until about the ninth grade. After that, they are largely absent in classes and programs that teach math, science and technology.

As we talk today about the criteria to measure success, we want to include criteria for measuring the progress of girls and boys in these fields. We need to learn more about how girls and boys learn, both about math, science and technology; what makes it interesting and what keeps it interesting. We cannot expect girls to be motivated the same way as boys.

We also need to improve what our students are being taught and by whom. Teacher training is a vital link in improving our students' math, science and technology education. Again, the Ehlers report saw this need and recommended recruiting teachers with a formal education in these disciplines. However, retaining quality math, science and technology teachers is very difficult. That is why I strongly recommend compensating them accordingly.

Again, I thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for convening this very important special order. Hopefully, through events like these and through our work on the Committee on Science, we can help find a direction that takes all students, girls, boys, wealthy and disadvantaged, younger and older, into the 21st century.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield to the gentleman from Texas (Mr. GREEN), an outstanding legislator.

Mr. GREEN of Texas. Mr. Speaker, I would like to thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), my good friend and colleague from Dallas, for organizing this special order tonight on education in math and science.

Just to digress for a minute on a personal note, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and I have served together since both of us were many years younger, starting in 1973 as a State representative in Austin, Texas, and then in the State Senate before we both felt the urge to run for Congress in 1992. It is good to serve with her for all these 26 years. I need to go back to my math to count all of those years now.

□ 1815

Mr. Speaker, our country, a leader in the world, has fallen dramatically behind the rest of the world in the critical subjects of math and science. When compared to students in European nations, our students finish at the bottom of their class.

I would like to commend my colleague for introducing the Mathematics and Science Proficiency Partnership Act, and I am proud to be a cosponsor of this legislation. This important legislation will help us provide both students and teachers the critical skills in math, science and information technology. Without these skills, our youth will be ill-equipped to compete in tomorrow's high-tech, computer-oriented marketplace.

I would like to also highlight the success of our home State of Texas in developing the tools necessary to begin addressing the problem. Texas, in 1984, set an example and created the TAAS test, the test that represents a comprehensive assessment of problem-solving ability and higher-order thinking skills that all students must pass to earn their high school diplomas. It is given all during their latter years in school, but it is an exit-level exam that is required for graduation.

Texas has taken it even one step further. In 1994, Texas schools began administering an end-of-course exam. These exams are designed to measure student progress toward the achievement of academic goals. These tests not only provide a solid measure of student achievement, they can also provide a benchmark that can be used to measure the performance of future students and provide for institutional accountability.

Texas schools have used these tests to find out what works and what does not when it comes to educating our children. I sometimes think we can test too much, and with both TAAS and the end-of-course exams, that may be too much, but I know we do not need anymore, because now we need to focus on content, and that is what my colleague has in her legislation.

Mr. Speaker, in 1994 in the Houston ISD, only 49 percent of the students in HISD could pass the TAAS exams for mathematics. Among African-American students, it was only 41 percent. Among Hispanic students, 44 percent, and among low-income students, the rate was 42 percent. That was in 1994. In 1998, four years later, we have seen the dramatic impact that these tests have in helping increase the rate of passage.

Mr. Speaker, 77 percent of all students passed the TAAS mathematics test, an increase of 28 percent in 4 years. Among African-American students, the passage rate went to 73 percent; that is a 32 percent increase in 4 years. Among Hispanic students, the passage rate rose to 74 percent, an increase of 30 percent; and the passage rate among low-income students also rose to 74 percent, and that is a 32 percent increase.

We saw similar results in the Aldine ISD, a district that is just north of Houston; again, two very urban districts, Mr. Speaker, and another school district that I am proud and honored to represent. In Aldine, we have seen an even more dramatic increase in the number of students passing the mathematics portion of the TAAS test. In 1994, in the Aldine district, 56 percent

of all students passed. Among African-Americans it was only 42 percent, and among Hispanics, 55 percent, and among low-income students, 49 percent. In four years, what a difference four years makes. In 1998, 87 percent of all Aldine students passed their math TAAS, an increase of 31 percent. Among African-American students, the passage rate rose to 82 percent, an astounding increase of 40 percent. Among Hispanic students, their passage rate rose to 88 percent, an increase of 33 percent, and among low-income students, the passage rate rose to 86 percent, an increase of 36 percent.

Mr. Speaker, we are testing the students now on the quality of what they are learning. We have seen success in the last 4 years, at least in the two districts that I represent, and that is true with a lot of our districts. But we still need to do programs like my colleague from Dallas has suggested, because what may work today will surely be behind the times tomorrow.

Two weeks ago I had the opportunity with NASA, and NASA assigned an astronaut to me in my district, and so we went to middle schools in a predominantly Hispanic community in my district and had an astronaut, Dr. Franklin Chambias, along with a businessperson to talk about the importance of math and science. That is a one-day-a-year chance, we can only do three middle schools, to encourage those seventh and eighth graders to realize math and science are important. Programs like my colleague has introduced is something that needs to be done every day of the year, because if we do not, surely our students will be behind and the United States will not be the competitive Nation that we are now, and that is why this legislation is so important.

Mr. Speaker, I would like to thank my colleague not only for tonight, but also for authoring this legislation, and again, I am proud to be a cosponsor.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I recognize the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I want to thank the gentlewoman from Texas for yielding me time, and I also want to express my deep appreciation for her setting up this Special Order and providing leadership on this very important issue. It is an issue of grave importance I think to this country and certainly to the economic life and viability of America.

I also want to thank the gentlewoman and congratulate her for introducing this legislation, and I am proud to be a cosponsor, that will go a long way, in my opinion, in encouraging our youngsters to take an interest in the fields of science, math, and really an area we sort of tend to forget sometimes; we talk about it as if it is a separate piece, and that is this whole area of information technology that really is deeply rooted in science and mathematics.

We can talk about standards for students and teachers and we can talk about the math and science curriculum until we are blue in the face, but if we do not generate more interest in these fields among our children, these efforts will mean very little. Talk is cheap, but it takes a lot of hard work to do it. So I want to thank the gentlewoman for her leadership on this issue. It is an issue that I think deserves the interest and an awful lot of time of Members of this Congress.

I am sure it does not come as a surprise to the gentlewoman or to anyone else on this floor tonight that as the former superintendent of the schools of the State of North Carolina, the topic of science and math education is not only near and dear to me, but it is an important one that I have spent an awful lot of time working on. When I was superintendent in our State, one of our primary goals was to improve the science and math education for our children, and we did a number of things in this regard in North Carolina.

As the gentlewoman knows, her home State and my State of North Carolina, the States of Texas and North Carolina are two States that have been singled out by the Secretary of Education and the President on numerous occasions as two States that really are doing some of the right things. But, the thing to remember is, we have a long ways yet to go. Science and math education is a long journey.

We have worked hard in North Carolina to encourage local curriculum. We have a State system of schools really, and we worked on it hard in the early grades to make learning of math and science fun for our children, but at the same time, putting a lot of rigor in it. We have done a lot of applied learning at the same time. Rather than just the analytical kind we have done for years, we have put a lot of applied opportunities in the classroom, and that takes money. It means that we need to have tools to work with.

We have worked hard in North Carolina to increase the availability of technology in the classroom and to link our schools to the information highway, what we now call the Internet, and that is so critical. If we want to open up the opportunities for teachers to teach and children to learn, they have to have access to the things that we take for granted in the business community every day.

I used to say when I traveled the State that if one wants to go into any modern office, one will find a telephone, a computer and a whole number of other things. If one goes into a school, we expect the teachers to go to the office to use the telephone, and they may have a computer in the library or the media center, as we call it, and that is not acceptable in the 21st century if we want our children to learn.

We placed a great emphasis on putting children into a more rigorous math and science curriculum and we have done a lot of that in North Carolina. We raised standards in our math and science curriculum, increased the units of math and science every child needed for graduation, and probably one of the most significant developments that we made, and this was done early on as I went in as superintendent, we required algebra as a requirement for graduation for our students. We said, well, that is nothing great. Well, the truth is, too many students were allowed to get out with just general math and we went to requiring it for graduation, and many said, it will not work. We are going to fail a lot of students. Well, what happened, too many times algebra has been used as a filter. It filtered out an awful lot of students that had an opportunity and ability to do it: females, African-Americans and a number of our minority students were filtered out. We turned it into a pump primer. And what that meant is we forced more into it, and we got better at teaching; we had to do a better job of staff development for our teachers. And lo and behold, guess what happened. Math scores went up, and so did our reading scores.

So we have used it in a way to make a difference. I think if we enrich the curriculum and we give the teachers the tools and we help them in staff development and we encourage students, they will rise to the occasion. I read with interest this weekend that other States are beginning to follow our lead and require algebra in earlier grades.

Obviously, there is no silver bullet to improve science and math education. It is hard work. However, there is no doubt that we must start in the earlier grades to help our children develop the skills that they need to be successful in the science and technology-based economy of the 21st century.

The debate over science and math curriculum is not simply one of improving test scores or making our children smarter. It is fundamental to the future of our country and its prosperity in the 21st century, and it is absolutely fundamental to our children's ability to deal with the complicated issues that they will face in the 21st century.

North Carolina has become a hub of our Nation's technology revolution. The Research Triangle Park area boosts some of the best research universities in the world and is the home to a host of a world renowned pharmaceutical, biotechnology, telecommunications and computer companies, the same list that you can read in Texas and some of our other high-tech centers.

The technology revolution has been good to North Carolina. But hardly a week goes by that I do not talk to a company's CEO who tells me that we need to improve science and math education and that we need more people with technical skills entering the workforce. It is true in our State, it is true across this country. Unfortunately, too often in this town, what is best for our children gets bogged down

in petty politics and partisan power struggles.

Take the Dollars for the Classroom program, block grants that were just introduced today by the loyal opposition. Having been a superintendent for 8 years and been at that level, I can tell my colleagues that block grants are great if we have a great grant-writer. It is a sorry way to dispense money for poor folks who do not have grant-writers. Guess which children have the greatest need for science and math education? It is those children in those districts that do not have good grant-writers. And I think it is a sham if we go through such a charade talking about putting more in the classroom. People who have the greatest need are hurt the most by block grants.

Now, Mr. Speaker, when we are forced to stand on the floor and debate whether or not we should increase the number of foreign workers we allow in this country to meet the needs of our companies here for workers in some of the fields that our high-tech companies and biotech companies and others need, something is wrong. I can tell my colleagues that something is wrong, and we need to fix it. I am here to tell my colleagues that there is one Member of Congress that is committed to fixing it, because the future of this country, the future of my State and the future of our children depend on it.

□ 1830

I want to thank my friend, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), because she has decided that she is going to do more than talk about it. She has put together a bill, and I commend her for it.

I am proud to be a cosponsor on a piece of legislation that does something about the issue of putting resources out there where children are across the country in rural districts that have great needs, as well as urban districts, because the one thing that we are short of in this country is having the kind of staff development that teachers need to be able to teach math and science in a way that children can learn, and we can move them into a higher level as we approach the 21st century.

I commend the gentlewoman from Texas for her vision, and I thank her for highlighting the importance of this issue.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the gentleman from North Carolina, and I yield to the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank my colleague, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for her leadership on the Committee on Science.

I am delighted to join her this evening as a member of the Committee on Science, and also a chair of the Congressional Children's Caucus, to congratulate her for her legislation that really has as its underlying premise that children can learn.

I think that that is the key element of what we are discussing this evening: One, the importance of math and science, and the fact that America's children should not be at any less of a level than any of the children of the world; that America's children can learn math, they can learn science, and more importantly, they can enjoy it.

As a member of the Texas delegation and a member of the Committee on Science and a member of the Subcommittee on Space and Aeronautics, I interact a lot with NASA and the needs of NASA, the funding needs, of course, but the technological needs.

How exciting it is for young people, as I had the opportunity to bring into my district a number of the astronauts to introduce to young people what the fun things are that one can do by knowing math and science. How interested they were, elementary school students, high school students, in being exposed to the career options that math and science can bring about.

The fact is that our children are not willing to not learn, if I can use a double negative, science and math. They only have to be inspired to do so. I think it is very important that we include the corporate combination that the gentlewoman has included in her legislation, the partnership, the mentoring that is so very important to encourage our young people to study math and science.

Mr. Speaker, I am a ranking member on the Subcommittee on Immigration and Claims. In that there is great discussion always about the number of individuals we must bring in from other places outside the United States because we do not have enough of an employee base to provide for the various technological companies around the Nation. We do not have enough people to fill the slots.

This past weekend I met with and talked with one of the human resource persons of our number two company in this Nation that deals with technological issues. He documented that there are not enough Americans trained in math and science or coming through the pipeline to be able to provide all of the positions that will be needed as we move into the 21st century.

I say shame, shame, shame on us. So I hope that this legislation can move quickly. I hope we can collaborate with the gentlewoman to do even more.

This is an authorizing piece of legislation. I hope that we will find more dollars in the appropriating forces to ensure that we give dollars to our school districts or complement the school programs that will help make math and science interesting.

My daughter had a professor, or there was a professor in her school, and there was a rumor going around that he taught physics, and he taught it by laying horizontally across the desk. Some people say he even levitated into the air. That was a rumor going around in the school. Well, there was standing room only in his physics class, as we can imagine. That is because he made math and science interesting.

Therefore, I would look forward to supporting the legislation of the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON). I think it is extremely important that we say to America's children, you can learn, and that we pass legislation that will emphasize the value of math and science to provide career opportunities for all of the children of America, and that we can stand equal in the world's market, that we will be the leaders in math and science. I know we can.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield to the gentleman from Michigan (Mr. SMITH), the chair of this subcommittee.

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentlewoman for yielding to me. I would like to commend the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for moving ahead with something we need to accomplish, because it is so important that we look at all avenues in encouraging additional students to pursue the sciences.

Let me just say, as we contemplate more seriously the world's situation, as we consider where America might be in the next 10 or 20 or 30 years, the challenges of staying ahead and being on the cutting edge of science and technology and information so that we can maximize our productivity and therefore our competitiveness is so very important today, probably more so than it has ever been in history.

Again, I commend the gentlewoman from Texas for exploring and looking at these avenues of how we might continue to encourage more students and higher qualifications in the area of science and mathematics.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I want to also express my appreciation for having the opportunity to visit scientists from New Zealand on a recent trip.

I appreciate the gentleman's leadership in looking to see what other places around the world might be doing so that we can better understand what we need to be doing. I thank the gentleman very much.

Mr. Speaker, I do want to do some final closing remarks by reading a portion of the statements of the gentleman from California (Mr. GEORGE BROWN), ranking member of the full committee, an outstanding Member of this Congress, who knows full well what we are talking about here. He is not able to be here this evening, but he sent his statement.

In part, it reads:

''The importance of science and math education to the Nation's future well-being is without question.

''The post-industrial society will have an ever growing need for highly trained individuals in science and technology. Clearly, we must ensure a full pipeline of students moving towards careers in these fields, if we are to compete successfully with our Major

economic competitors in the 21st century. To meet the demand, the Nation must take advantage of the human resource potential of all the people.

''But there is an equally important reason for effective science and math education in all parts of the Nation. Technology now infuses more and more aspects of daily life. Most workplaces are becoming increasingly technological. This means that all citizens need a basic grounding in science and math to function in an increasingly complex world and to lead fulfilling lives.

''The situation is complicated by the uneven quality of educational opportunities across the broad diverse Nation. We are running the risk of a widening gulf between those with the training to thrive in this new work environment and those lacking the basic skills to qualify for the high-tech workplace.

''It is important to find ways to spur the interest and encourage the study of science and math by students at all levels of ability. The growing reality is that a strong back and a strong work ethic will not be enough to ensure a good job in the 21st century.

''In addition to mastering the three Rs, students must learn as much as they can about science and technology, because such knowledge will be a key to their future. Efforts to reform science and math education must seek to engage and cultivate the interest of all children.

''There is much evidence that young children are naturally interested in science and that grade school students in the U.S. perform well in science and math. This was shown to be the case in the recent results of the Third International Math and Science Study, known as TIMSS. U.S. students at the fourth-grade level were near the top in the international comparison.

''However, the picture changes for the worse as students move through the school system. By middle school, again from the TIMSS findings, U.S. students have drifted down to the average performance level of the international comparisons, and well below most of our major economic competitors. And by the terminal year of high school, U.S. students are near the bottom of the rankings in math and science performance.

''There are no simple answers for reversing this dismal situation. Many interrelated factors are involved. Engaging curriculum materials coupled with a hands-on, inquiry-based approach to teaching have promise for improving student outcomes in science and math. This will require curriculum development and teacher professional development.'' But we also must be motivated, and our children must be motivated and excited.

''An excellent example of an educational program that has a proven record for providing such excitement is the JASON Project. The brainchild of world-famous explorer Dr. Robert Ballard, JASON is a year-round scientific expedition designed to engage students in science and technology through live satellite and Internet broadcasts.

''For 2 weeks, students at interactive network sites in the U.S. and other countries can watch the expedition live, interact with scientists, control live-feed video cameras. The JASON network now reaches over 2 million students.

''The tenth expedition in this series this past march focused on a comparative study of temperate, tropical and fossil rainforests, with the live segment originating from the Peru tropical rainforest.''

The gentleman from California (Mr. BROWN) had the opportunity to spend a day participating in this exploration at one of the JASON network downlink sites located at the A.B. Miller High School in Fontana, in his district. This is currently the only JASON downlink site in Southern California.

''JASON is helping to change how science is taught in the classroom and will help to reverse the harmful decline of students interest in science and technology.''

The gentleman from California (Mr. BROWN) has been a JASON supporter since its inception, and is pleased to see its expansion and continuing excellence.

''The JASON Project is driven largely by private sector initiatives and supported mainly by industry contributions. But there is also a role for Federal programs to improve science education.

''There is no doubt that the Federal role in K–12 education is limited and that the Federal resources available are but a small fraction of the national investment in K–12 education. But the Federal Government can be a catalyst for constructive change in our schools, if its a relatively small education investment and is wisely directed.''

Mr. Speaker, I include for the RECORD the text of the entire statement of the gentleman from California (Mr. BROWN).

The text of the statement of Mr. BROWN of California is as follows:

Mr. BROWN of California. Mr. Speaker, the importance of science and math education to the nation's future well being is without question.

The post-industrial society will have an ever growing need for highly trained individuals in science and technology. Clearly, we must ensure a full pipeline of students moving toward careers in these fields, if we are to compete successfully with our major economic competitors in the 21st century. To meet the demand, the nation must take advantage of the human resource potential of all our people.

But there is an equally important reason for effective science and math education in all parts of the nation. Technology now infuses more and more aspects of daily life. Most workplaces are becoming increasingly technological. This means that all citizens need a basic grounding in science and math to function in an increasingly complex world and to lead fulfilling lives.

The situation is complicated by the uneven quality of educational opportunity across this broad and diverse nation. We are running the risk of a widening gulf between those with the training to thrive in this new work environment and those lacking the basic skills to qualify for the high-tech workplace.

It is important to find ways to spur the interest and encourage the study of science and math by students at all levels of ability. The growing reality is that a strong back and a strong work ethic will not be enough to ensure a good job in the 21st century.

In addition to mastering the 3R's, students must learn as much as they can about science and technology, because such knowledge will be a key to their future. Efforts to reform science and math education must seek to engage and cultivate the interest of all children.

There is much evidence that young children are naturally interested in science and that grade school students in the U.S. perform well in science and math. This was shown to be the case in the recent results of Third International Math and Science Study, known as TIMSS. U.S. students at the fourth-grade level were near the top in this international comparison.

However, the picture changes for the worse as students move through the school system. By middle school, again from the TIMSS findings, U.S. students have drifted down to the average performance level of the international comparisons, well below most of our major economic competitors. And by the terminal year of high school, U.S. students are near the bottom of the rankings in science and math performance.

There are no simple answers for reversing this dismal situation. Many interrelated factors are involved. Engaging curricular materials coupled with a hands-on, inquiry-based approach to teaching have promise for improving student outcomes in science and math. This will require curriculum development and teacher professional development. But we also must have motivated, excited children.

An excellent example of an educational program that has a proven record for providing such excitement is the JASON Project. The brainchild of world-famous explorer, Dr. Robert Ballard, JASON is a year-round scientific expedition designed to engage students in science and technology through live satellite and Internet broadcasts.

For two weeks, students at interactive network sites in the U.S. and other countries can watch the expedition live, interact with scientists, and control live-feed video cameras. The JASON network now reaches over two million students.

The tenth expedition in the series this past March focused on a comparative study of temperate, tropical and fossil rainforests, with the live segment originating from the Peru tropical rainforest. I had the opportunity to spend a day participating in this exploration at one of the JASON network downlink sites located at the A.B. Miller High School in Fontana in my district. This is currently the only JASON downlink site in Southern California.

JASON is helping to change how science is taught in the classroom and will help to reverse the harmful decline of student interest in science and technology. I have been a JASON supporter since its inception and am pleased to see its expansion and continuing excellence.

The JASON Project is driven largely by private sector initiative and supported mainly by industry contributions. But there is also a role for federal programs to improve science education.

There is no doubt that the federal role in K–12 education is limited and that the federal resources available are but a small fraction of the national investment in K–12 education. But the federal government can be a catalyst for constructive change in our schools, if its relatively small education investment is wisely directed.

School budgets are tight and meager resources are available for such things as supporting experimentation with new curricular materials or training teachers on how to implement science standards in the classroom. The federal science and math education programs can provide an important supplement that can have an influence on reform efforts out of proportion to the size of the investment.

In addition to providing financial resources, the federal government can bring to bear the scientific talent available in federal laboratories as an important resource for support of teachers, many of whom are unprepared to teach science and math subjects.

An example of a Federal program to help train science and math teachers is a recent initiative involving the National Science Foundation and the Department of Energy's national labs. Teachers from school systems participating in NSF's education reform programs will be eligible to attend in-service training programs at the labs where they will use state-of-the-art facilities and instrumentation.

The program will provide hands-on experience and help improve teachers' skills in integrating the tools of computer simulation and modeling with implementation of science and math standards. In California, the Lawrence Berkeley Lab, Lawrence Livermore Lab, and the Stanford Linear Accelerator Center will participate in the program.

Another example of an innovative federal education programs is the NASA Student and Teacher Excellence Project, or STEP. STEP includes participation by some schools from San Bernardino County in my district.

STEP has several complementary components to increase student performance in science and math. It will draw on NASA's resources to develop curriculum tied to real-world problems; it will provide professional development opportunities for teachers; and it will provide for home access by students and parents to STEP resources.

The last component is a particularly important innovation which will greatly enlarge student access to the educational materials and draw in participation by parents.

As I indicated earlier, there are no simple answers for improving K–12 science and math education. Federal, state and local government, and the private sector all have important roles. We must identify best practices and effective programs, and then work to achieve their widest dissemination. Much remains to be done, but we cannot afford not to succeed.

Mr. Speaker, I will close by simply making one more plea, that we must give attention to this most critical need. We owe it to our Nation. We certainly owe it to our future.

Our jobs will ultimately follow where the skills are located. If our companies are now having to hire mostly people that are non-American born, we can be sure that our companies cannot remain competitive until we make sure that every American child is excited about math and science.

We must start with teacher preparation. Many of our best teachers graduated more than 10 years ago from college. Our colleges did not have the integrated system of including our technologies at that time, so most of our teachers will have to return for further education.

That further undergirds the notion that education is lifelong, and teachers more and more will have to continue to return for their offerings of improving their skills, but our institutions must be responsible for offering those needed skills. Mr. Speaker, we will continue working.

AMERICA'S NATIONAL DRUG POLICY AND THE ROLE OF CONGRESS IN REDUCING DRUG USE BY AMERICANS

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). 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 again tonight to talk about the subject of our national drug policy, and what Congress can do to improve the situation relating to the abuse and misuse of illegal narcotics, not only by our young people but by all Americans.

I come before the House as chair of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources, which has been charged with trying to help develop a better policy, better legislation, and better action by Congress to deal with the growing social problem that we have.

Tonight I am sure that the eyes of the Nation are focused on Kosovo, where we have a very difficult international situation, and probably rightfully so. We have thousands of our troops in potentially harm's way. We have our pilots and other dedicated military involved in that conflict.

I believe that the focus of attention tonight also is on the tragic shootings in Colorado. I believe some young people were involved there. A large number of young people were killed in that tragic incident.

Rightfully, America should be concerned about Kosovo. America should be concerned about international situations and also about a situation where we have death and mayhem of young people in our Nation. It is a very serious situation. I know that both the Colorado situation and Kosovo will capture the attention of the Nation for the next number of days.

As a courtesy to the gentleman from Colorado (Mr. TANCREDO), who has expressed concern about what has happened in that State, Mr. Speaker, I yield to him at this time for his comments on that, again, tragic situation.

PRAY FOR PARENTS AND CHILDREN, VICTIMS IN TRAGIC COLORADO HIGH SCHOOL SHOOTINGS

Mr. TANCREDO. Mr. Speaker, I come here tonight to ask everyone listening, watching around America, I come here to ask you for your prayers for those parents who have lost children in this incredible, horrible, devastating event.

There are no words any of us can utter from this position, even in this House, that can ever soothe the hearts of the people who have lost their family members. But it behooves us all to think about how precious life is and how quickly it can be taken away any time, any place, anywhere.

It must make us all think again about turning to God and asking for his counsel and for wisdom which we all need in order to address these kinds of issues and others that will confront us.

So I have no other speeches to make. I have no other words to utter than to simply say again to everyone, please pray for the grieving, pray for the lost, and pray that this never, ever happens again.

Mr. MICA. Again, my prayers are with the gentleman from Colorado and with the families who have experienced this great tragedy in their community. Again, it is something that will be reflected in the news reports for the coming days just as Kosovo and other tragic events of our Nation.

Tonight I came to the House to really address another social tragedy that is facing our Nation. As I said, I chair the House Subcommittee on Criminal Justice, Drug Policy, and Human Resources and trying to formulate some legislative efforts, some actions by this Congress to deal with a situation that has taken last year the lives of 14,000 Americans.

We have an illegal narcotics and drug abuse problem in this country that is reaching unparalleled proportions, particularly among our young people. I want to review again, and I did this last week, and I have done this a couple of times before, the situation that led I believe to the current problem we see with epidemic narcotics use by our young people across the Nation and the drug situation that faces almost every community across our land.

In 1993, when I came to Congress and I was in the minority, the majority party at that time, the Democrats that controlled both the House, the other body, and the White House, I think that they made some very tragic mistakes at that point in, first of all, cutting the resources of the drug czar's office, almost eliminating all of the staff in the drug czar's office.

The next step that was taken was to appoint a Surgeon General that in fact did not take the drug situation seriously, that helped advocate a policy of ''just say maybe'' to our young people, and this of course eventually has had consequences as we see in the drug statistics which I will cite.

Unfortunately, the administration also, and the majorities of 1993 to 1995, with the concurrence of the administration, they held majorities again in

this body, the other body, they cut the source country programs where drugs are produced, slashed some of the funds to countries. I for one believe it is most cost effective if we stop illegal narcotics at their base of production, in the country of origin, in the fields where they are produced. I think that the cuts that were made back then had some tragic results, and we will talk about them.

The next thing that the administration did, and the Democrat-controlled Congress, was to take the military out of the drug war, to a large extent cut the Coast Guard resources. The Coast Guard is important in protecting our shores. Even the Commonwealth of Puerto Rico was protected up until that time by our Coast Guard.

Again, this theme of ''just say maybe'' and tolerance to illegal narcotics has eventually found its way into the minds of our young people, and we are now suffering with tremendous problems, particularly in the abuse of heroin.

Let me cite some statistics, if I may, tonight. The number of Americans who used heroin in the past month increased since 1992. The number of Americans who used heroin in the past month increased from 68,000 in 1993 to 325,000 in 1997. This is from a national household survey on drug abuse.

Now, I come from Florida. I come from central Florida. Florida has been particularly hard-hit by this epidemic of illegal narcotics, and in particular heroin. Heroin deaths in Florida increased by 51 percent from 1997.

I reported this last week to the House and my colleagues, and I thought that these statistics were quite remarkable and should get everyone's attention. There were in Florida 206 heroin deaths in 1997. I also thought that that was a very startling figure, and I have some additional information tonight I would like to reveal.

Orlando's 36 deaths yielded the highest death rate. So although we had, maybe, a lower number of heroin deaths in central Florida than larger populations, south Florida areas, we ended up with 3.6 deaths per 100,000 population, the highest death rate in Florida.

Heroin deaths again have just blossomed and mushroomed out of proportion. We have a new drug czar who was the deputy director of the Office of National Drug Policy, Jim McDonough. Jim McDonough stated in the Miami Herald that the drug problem in Florida, and his quote is, ''is totally out of control.'' That is from the Miami Herald comment and quote from him, April 7, 1999, recently.

What is interesting is that change in the pattern of drug trafficking in central Florida. A recent article in the Orlando Sentinel pointed out that $20 hits, $20 doses of heroin were being sold in central Florida last year that were considered as much as 90 percent pure narcotic. That means the purity level was 90 percent.

Ten, 15 years ago, the heroin that we saw on the streets in the United States was 10, 12 percent pure. The heroin that we are seeing today is particularly deadly. Ninety percent pure is what they are seeing. Formerly on the street, this article says that the product of heroin that was found there had a much less deadly content; and that is one of the reasons we are seeing so many tragic deaths in central Florida.

According to Tim Moore, the director of the Florida Department of Law Enforcement, at these purity levels heroin is killing many of our first-time users. I quoted again how dramatically the number of deaths have increased in the State of Florida and in central Florida. Unfortunately, the news in Florida is actually worse than was reported for 1998.

I bring to the floor a copy of an article that appeared this week. The headline is, ''News on Heroin Gets Even Worse'', and it is from this Monday's Orlando Sentinel.

This report indicates that in some counties up to 20 percent of the people who died after taking heroin did not make the statewide list that I cited last week and again tonight of 206 deaths which were released several weeks ago. This is because the State Medical Examiner's Commission tracks only what it considers to be fatal overdoses. College students who drop dead after drinking beer and taking heroin were not counted. The same was true for motorists killed in an automobile accident while stoned on heroin. This is also part of this report revealed in an Orlando Sentinel article this week.

In contrast, the Florida medical examiners have a long-standing practice of reporting in Florida every cocaine-related death. State officials reported 1,128 such fatalities. That is deaths by cocaine in Florida in 1998. That is a startling figure by itself.

But we see that the figures that I have been given previously on heroin deaths were not accurate. They are even higher, and the situation gets much worse. Again, in the Orlando area, which has the highest rate of heroin deaths in Florida, State guidelines prompted the Orange-Osceola medical examiners, our local county examiner's office, to disregard eight heroin deaths. The office reported 36 deaths in two counties, not the 44 that actually took place.

In Daytona Beach, the Volusia County medical examiner discounted one of five heroin deaths. So, again, this practice is not common just to central Florida and Orange County and Osceola, but Volusia County. In West Palm Beach, the medical examiner's office reported 19 heroin deaths. The office spokesman said two more deaths from 1998 had been confirmed and 19 more cases were still pending.

So the epidemic that we have heard about is even worse than what has been initially reported. The Florida Department of Law Enforcement is now asking the State's 24 medical examiners to expand the way they track the drug deaths. Florida has also asked the medical examiners to create a separate category for users who die after taking one or more drugs, which is a problem that appears to be on the rise.

In the Orlando area and somewhere else, the trend appears to be abuse of heroin and cocaine with alcohol, all of which, I might tell my colleagues and those listening, has a very deadly effect again with this high purity, high content of heroin. Even small doses of heroin can be fatal when taken with beer, wine, or whiskey. The research clearly shows this. Alcohol increases the odds of a fatal heroin overdose by a factor of 22. The three heroin deaths that were discounted in Orlando in 1998 involve victims who died after taking heroin and alcohol, according to this report.

Mr. Speaker, I have talked about what has happened in central Florida, what has happened in our Nation. From 1993, when we had this change in policy, when we had this lack of direction by the administration, the lack of attention to the national drug problem, heroin use among our teens has increased in a 5- or 6-year period 875 percent.

□ 1900

I have mentioned the deaths in central Florida. Up dramatically. Actually undercounted, as we reported from this article released this week in this investigative report by the Orlando Sentinel, a situation totally out of control with, again, our young people.

I want to do something tonight to show my colleagues and to show the American public and those listening that we have a very serious situation. We have thousands of deaths in Florida. We have hundreds of deaths in central Florida. We have over 14,000 deaths across the Nation from drug overdoses or drug-related deaths.

This situation is not making the front page every day across our country, even though we have a heroin epidemic, a methamphetamine epidemic across this land, and other hard drugs. But these heroin deaths and these other deaths have a face and a name on them; and tonight I want to share with my colleagues just for a few minutes a photograph that I hope will be riveted in everyone's mind forever.

I want to show my colleagues that this death and destruction has a face on it and it is a face one can never forget. It is a face that was provided to me by a mother who lost a son to heroin in central Florida. It is a face that this mother and other mothers who gathered together, dozens of mothers in central Florida and parents who gathered together, some of whom I met with, related their stories of how their young people did not realize the purity of heroin, they did not realize the effects of heroin, they did not realize the impact of heroin or hard drugs on their bodies and their minds.

What I am going to show my colleagues should happen to no parent and should happen to no young person in our Nation. This is a picture of a man who is 26 years old. He was loved by his parents, the Stevens family. Loved by his family. He had a life to live. He was loved by his parents, and this young man died tragically of a drug overdose of heroin. I am going to show this picture only for a few seconds because it is quite shocking.

If there are young people watching, I do not want them to look if they do not want to. But this is the face of these 14,000 people who are dying of drug overdoses. This is the tragedy that we see. This is how this mother found her son and this is the sad effect of heroin on our young people across this Nation.

The glory that is portrayed by drug use and abuse in Hollywood and pop songs, this is the result; and this is what happens to those young people, and this is a face, a very tragic face.

This is how that young man ended up, on a sofa, and then in a morgue. The mother gave me permission to show this and has also put other pictures of her loved one from these police reports in a videotape, along with photos and evidence gathered from other scenes of tragic deaths of young people in central Florida, because they want to let the parents know what is happening. They want to let the young people know what is happening. They want the people who are considering using heroin and other hard drugs to know what is going to happen to their loved ones, to their bodies.

I had described to me a scenario of what happens when a person ingests heroin into the body, and I will describe that, if I may, tonight, to give those who are listening, my colleagues, a flavor of what happens and the horror of the death that these young people, thousands and thousands of them, have experienced across our Nation.

Heroin is ingested into the body. There is a period of time, usually within 30 seconds, where the drug hits the nervous system. Euphoria and a warm sensation overcomes the user. The user is beginning to feel the effects of the respiratory system breaking down and the user's breathing becomes labored.

As the respiratory system breaks down, the breathing becomes very slow. A corresponding drop in the body temperature begins and the heart becomes irregular. If the user is conscious at this point, this is the stage where fear grips the user.

Soon, the body is demanding more oxygen, and the user's respiratory system cannot accommodate the growing need for oxygen. The user feels cold. Fluid begins to enter the lungs. This is the beginning of the drowning stage.

So first there is the choking stage and the drowning stage.

Sometimes, during this phase, blood vessels and capillaries begin to rupture, as evidenced by the photograph that we saw of the young Mr. Stevens. The blood on the face of the heroin user is a result of blood vessels rupturing. It is not a very pretty sight. It is not a way for anyone to meet their Maker.

Entering into the final phase, the user is now in great distress and experiencing severe pain throughout the chest and throat, much like a heart attack. The user's head is splitting with pain. The amount of fluid in the lungs has increased. The user is now in excruciating pain and begins to drown as his lungs fill with fluid.

The pain is now overwhelming and the user becomes fitful, jerking wildly and thrashing at the air. This continues for a time until the user becomes unconscious and begins seizures. Death is slow and inevitable.

And this is how these young people end up, unfortunately. This is how a young person in central Florida ended up paying with his life for this use and abuse of drugs. And, in particular here in central Florida, as I have said, we have this incredible epidemic of heroin use.

The high purity in this heroin, mixed sometimes with alcohol, mixed sometimes with other drugs, the results are inevitably fatal. And this has been repeated over and over and over and over again, to the tune of thousands and thousands of people across our land.

So I bring a message tonight that is not very pleasant, but a message, I think, that is very necessary about what is going on and about how people end up who become the victims of this surge of heroin that we see coming into our communities.

My next point to my colleagues, Madam Speaker, is where is this heroin coming from? I submit, my colleagues, that we know exactly where this heroin is coming from. And let me point out tonight how we know where heroin and other hard drugs are coming from, and let us take just a moment to look at this chart.

Our Drug Enforcement Administration has a very sophisticated system of tracking illegal narcotics, and in particular in this case, heroin. It is almost like a DNA tracking where they can trace a DNA back to an individual. This is so sophisticated, this heroin signature tracking program, that they can tell exactly where the heroin came from, what country, almost what field.

Seventy-five percent of the heroin entering the United States in this 1997 analysis came from South America. Seventy-five percent came from South America; another 14 percent from Mexico. Add those up and we have 89, nearly 90 percent of the heroin coming into the United States, this highly deadly, very pure heroin is coming in from two places, South America and from Mexico.

We know about 90 percent, 99 percent of this heroin that is now coming from South America is coming from Colombia, one country, and we know the balance is coming from Mexico. We have 6 percent from southwest Asia and 5 percent from Southeast Asia. But through the sophisticated tracking and analysis program DEA can tell us exactly where these narcotics are coming from, and this deadly heroin that I spoke of.

Now, the question is, what has the administration done about stopping this? We know this heroin is coming in. I have shown very graphically what the heroin does to our young people. I have cited 14,000 deaths in the last 6, 7 years of this administration. Nearly 100,000 Americans have met their death through these sorts of drug-related incidents, and no one is paying attention to this.

The Clinton administration does not pay attention to where these drugs are coming from. In fact, as I said, most of the heroin is coming from South America and, in particular, from Colombia.

What is absolutely amazing, if we were to look at this chart for 1992 and 1993, we would see almost zero percent of heroin coming in from Colombia. There is very little heroin produced in Colombia, and there was a small percentage of heroin coming in from Mexico, much smaller than the 14 percent we see there.

Over the history of this administration, what has this administration done to keep illegal narcotics from coming, and in particular deadly heroin and cocaine coming from Colombia? We know it is produced there, and heroin is now produced there.

Actually, what they did is, they blocked all of the aid, all of the assistance to Colombia on a repeated basis.

I cannot tell my colleagues, as a member of the committee with jurisdiction, working with other Members of the Congress, how many times we wrote, requested, how many times this new majority has funded equipment and ammunition resources to go to Colombia that we have been blocked repeatedly by this administration.

So now, today, I am here. And instead of being a small producer of cocaine, Colombia is now the largest producer of cocaine. Previously, the cocaine came from Bolivia and from Peru. Now we have the distinction of Colombia winning this award, this deadly award, for being the biggest producer of cocaine. Because, again, this administration blocked any type of assistance to stop the production and growing of coca.

Additionally, and of even greater concern, is the heroin production, again of incredible proportions, that has grown up as an industry in Colombia since 1993. Again, the administration failed to get equipment, helicopters, parts, ammunition, assistance, resources to Colombia to deal with this problem.

Additionally, they cut the source country programs of eradication of coca and poppies at their source, the most cost-effective programs, to stop narcotics.

□ 1915

So this is where heroin comes from. This is where the bulk of heroin and

cocaine comes from. And the administration has not acted properly to assist the biggest producer, which is Colombia.

Now, the biggest source of these narcotics coming into the United States in this past 5 or 6 years is Mexico. Mexico has become the major transit center of illegal narcotics, hard narcotics, heroin and cocaine. Not only are they the major transit center, as we can see now from the signature program on heroin, they are also getting into the big league of producing very deadly, very pure heroin in Mexico. And, again, they were a very small player just some short years ago.

What has the administration done to deal with Mexico? Well, repeatedly they have certified Mexico as fully cooperating in the war on drugs. We have on the books, on our Federal legal statutes, a requirement that the President and Department of State every year certify every country that is a drug-producing or drug-transiting country, that the administration must certify that they are cooperating, taking positive steps to stop the production and trafficking of illegal narcotics. It is called drug certification.

What do they get in return? If they cooperate, they are eligible for trade assistance, for foreign aid, for international financial assistance and other resources that we make available as a Congress and also as a government to our allies.

We have had no greater friend or ally or closer neighbor than Mexico. There has been no ally that we have assisted more in trying to maintain their financial stability, treating them as an equal trading partner, granting them NAFTA trade status, assisting them again as a good partner and much to our advantage.

We now have a big trade imbalance. They are shipping more goods, dramatically more, into the United States. And they are also the source of illegal narcotics. This Congress and I were part of that effort several years ago when the administration certified Mexico as fully cooperating. We knew they were not fully cooperating. And we passed about 2 years ago, March 13, 1997, by a vote of 251–175, a resolution that asked that the President be responsible for reviewing the progress of Mexico in helping with some specific items.

First of all was to allow the United States law enforcement agents in Mexico to carry firearms and also to protect themselves in defense and also to increase the numbers in Mexico and the cooperative effort in going after illegal narcotics dealers. Basically, nothing has been done in that regard. Our agents are still at risk. Mexico still refuses to cooperate. And this is a request of the Congress from 2 years ago.

We asked, secondly, that Mexico take concrete measures to find and eliminate corruption in Mexico, particularly among law enforcement and also among military, and to cooperate fully with the United States law enforcement personnel on narcotics control matters. Now, they have not complied with this second request. Mexico has not complied.

In fact, when we conducted an investigation of money laundering in the hundreds of millions of dollars, the Mexican officials in this operation, called Casablanca, instead of assisting the United States Customs officers who were involved in it, threatened to indict and prosecute and go after our agents. Is this fully cooperating?

So, again, this request of 2 years ago of Mexico still has not been attended to by Mexico. In fact, they slapped us in the face, our enforcement officers in the face, with their actions.

We have asked, thirdly, and we continue to request, we asked 2 years ago that Mexico extradite one major drug trafficker. Have they done that? Not really. We want, again, cooperation in extraditing those identified drug traffickers, major drug traffickers, to the United States for prosecution who are under indictment and under request. Have they complied with that? No, not really. They have actually, just close to the decertification time here, extradited one individual and not a major drug trafficker. They know who they are.

What is even worse is, I accompanied some of my colleagues and met with Mexican officials, the attorney general and others, and we know that the Yucatan Peninsula was completely controlled by drug lords, including the corrupt governor of Quintana Roo, the Yucatan Peninsula state. We know the Baha Peninsula is completely controlled by drug and other narco-traffickers. We know that other states in Mexico are completely overrun by drug dealers and they control the political apparatus, judicial apparatus.

Not only have they not cooperated on extradition, they promised when we were there that they would seek the arrest of the governor of the Yucatan Peninsula, who they knew was involved in drug trafficking, who our agents had the goods on, who internationally is renowned for drug trafficking, who turned the Yucatan Peninsula in a narco-terrorist state.

Unfortunately, in Mexico they have a law that does not allow them to really go after folks in office and it makes it difficult to prosecute. So we were told that as soon as the governor of the Yucatan Peninsula leaves office, he will be arrested and he will be made responsible for his actions, which everyone knew were corrupt.

And what happened 4 or 5 days just before the governor was to leave office? He fled the country, I believe on a banana boat, and is on an island off of Cuba we are told. So again the Mexicans failed to extradite, they failed to keep their commitment to go after corrupt officials.

And what is also a request that has been pending for over 2 years now is that Mexico sign a maritime agreement with the United States, that it allow us to halt and hold drug traffickers and pursue them into Mexican waters. This request was made several years ago, has been made repeatedly, and still the Mexicans have not complied with the simple request of trying to bring this situation under control.

Now, if this is not bad enough, if all these requests that were made by this House of Representatives and this Congress 2 years ago, a little over 2 years ago, March 13, 1997, are ignored, just toss it, forget about it, if this was not bad enough, listen to what the Mexicans have done in trying to assist us with stopping the huge quantities of illegal narcotics coming into the United States. These are the statistics we have for Mexican drug seizures, opium, heroin.

From 1997, the number of metric tons that have been seized by Mexican officials, heroin, again killing our young people, a 56 percent drop in drug seizures from 1997 to 1998 of heroin by Mexican drug officials. A 56 percent drop. And this stuff is flooding into our communities in unprecedented quantities, in unprecedented levels of purity.

Cocaine. What did they do to stop cocaine coming into the United States? How much cocaine did they seize in 1997 versus 1998? A 35 percent drop in the metric tons of cocaine that was seized in Mexico. Have they been fully cooperating with the United States? I say not.

The vehicles seized by Mexico. These are actually vessels seized by the Mexican Government. The boats, in 1997 they seized 135. In 1998 they seized 96, a 29 drop in the number of vessels seized. My colleagues can see why we want a maritime agreement because they failed to even interdict. These are these folks who are dealing in huge quantities of deadly drugs.

According to again the DEA, 14 percent now of the heroin in the United States is of Mexican origin. That was a very small figure some years ago. So what Mexico is doing rather than being a small producer, is now even a large producer in producing deadly heroin into our communities and across our open commercial borders with Mexico.

So these are some of the things that the administration has done in the past several years in dealing with Colombia, a major producer of death and destruction through cocaine or coca production and poppies and heroin production. This administration failed to respond, failed to aid, failed to stop it.

Mexico, they certified them even though Mexico is kicking dirt in the face of every Member of Congress in the United States of America by their lack of cooperation on the basic items that we have asked for and their lack of effort in trying to seize illegal narcotics, particularly heroin, cocaine, and now the rage is methamphetamines.

I conducted a hearing yesterday on INS and illegal immigration in Atlanta, Georgia; and the district attorney in the Atlanta region told us that methamphetamines are becoming a serious problem in that community. And also in hearings we have heard across the Midwest, places like Minnesota, Iowa, and again the western part of the United States, where endemic levels of meth, which is very deadly, and designer drugs are now making their way from Mexico into these parts of our country.

Now, my colleagues might say, this new majority Chair up here talking, what has he done? What has the new Republican majority done? I might say that under the leadership of the gentleman from Illinois (Mr. HASTERT), who is now the distinguished Speaker of the House of Representatives, who had this responsibility for putting back together the last 2 years our drug policy, we have made great progress.

Through his leadership and the work of the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, and other chairs, the gentleman from Ohio (Mr. PORTMAN) who has worked on the demand side in the community programs dealing with drug abuse and community efforts in that regard, and the gentleman from Florida (Mr. MCCOLLUM), who works on legislative efforts particularly as they deal with the criminal justice system and also helping to restore some of our international efforts, these individuals, part of the new majority, part of the new team, with the leadership of the gentleman from Illinois (Mr. HASTERT), put nearly a billion dollars into various programs, additional dollars into programs, raising our expenditures on this drug issue to $17.9 billion.

Now, this administration, ironically, proposed a $100 million cut in the drug budget and they portrayed that as an increase. I do not know when $100 million less can be an increase, but somehow they are trying to suggest that to the Congress.

But again, we put money into education, into interdiction, money into stopping drugs at their source, starting with these source countries, getting aid to Colombia, helicopters, equipment, resources, the manpower necessary to support their effort to eradicate the poppy fields, the coca fields, the drugs at their source, which I guarantee is the most cost-effective way.

The gentleman from New York (Mr. GILMAN), the chairman of the full Committee on International Relations, and myself have talked for many days about this situation with Mexico.

The situation with Colombia is a little bit different. We do have the cooperation of the new government, President Pastrana. We are getting aid and assistance there. This Congress has provided that assistance, again, under the new majority leadership.

The situation with Mexico is much more difficult, and we have discussed this with leadership and with others. We took the unprecedented steps 2 weeks ago, the gentleman from New York (Mr. GILMAN) and myself and other Members of the House, to extend the period of decertification consideration by the House of Representatives indefinitely until we come up with some additional concrete solutions, until we come up with cooperative efforts, until we come up with some concrete cooperative measures that we can take working with Mexico to gain their cooperation, to seek their real actions in stopping illegal narcotics at their source, stopping the tracking through their country, working on a maritime issue, allowing our agents to be armed and to protect themselves when they are working on these problems in their country, working on real extradition, and identifying these individuals that are major drug traffickers that are under indictment from the United States and extraditing them to the United States and seeing that they are prosecuted and serve time and are taken out of the streets, and also enforcing the laws that Mexico has passed.

□ 1930

They have passed some laws, I will give them that credit, but they are not executing those laws.

So we need the cooperation of Mexico. We will find a way, working with Mexican officials and with Members of this Congress, to gain their cooperation because they are an important ally, they are an important trading partner, but we cannot sell our souls and the lives of our young people for the sake of trade, for the sake of dollars, for the sake of doing business with a narcotrafficking state.

And we would hate to see Mexico become a narcotrafficking state, and I am quite concerned, Madam Speaker, that we may be on the verge, after having seen Mexico lose the Yucatan Peninsula, after seeing Mexico lose the Baja Peninsula with hundreds of deaths, narcoterrorist deaths, in that state right across our border, some of them heinous, lining up women and children and machine-gunning them. Again, narcoterrorist drug trafficking that has taken over a great deal of Mexico.

We must work together and find some solutions to stop these hard drugs, heroin, cocaine, methamphetamines, other illegal narcotics coming into the United States and restore the programs that again are cost effective, that have unfortunately been ignored by this administration, but will be passed by this Congress, were passed in the last Congress, to restore effectiveness in dealing with these problems.

Again, the toll is tragic. Over 100,000 Americans have lost their lives in the years since this administration took charge, due to the problem of illegal narcotics, and the problem is growing worse particularly among our young people.

Tonight I did detail one tragic death, a young person who lost his life, whose family now is bravely portraying the horrendous death that he died to set an example for others, particularly young people who may not know that there is not glory, that there is not celebrity status in using narcotics, that the narcotics out there today are very deadly when mixed with other drugs or with alcohol, or sometimes for first-time users with 90 percent purity. These individuals meet very tragic, painful, ugly deaths that are just too horrible to describe in additional detail.

But we want the Members of Congress to know what is taking place across this land, we want the American people to know that there is an effort in Congress to correct this situation and that, although the tragedies, as I said at the opening, that have occurred in Colorado and have taken the lives of numerous young people, although Kosovo is a serious situation and there has been ethnic cleansing, we still have a number one social problem in this country that took 14,000 lives last year, is taking lives as I speak tonight, and will continue to take them until we get this situation under control, until we make a commitment to just say no, until we make a commitment to make certain that our young people are educated about the potential tragedy of using illegal narcotics and until we restore those source-country programs that were cut and get the military and whatever other agencies we need, including resources to law enforcement, and to cooperative countries like Colombia, Bolivia and Peru to stop drugs at their source, again in a cost-effective manner. All of us, particularly those who pay the taxes, their hard-earned tax dollars, want an effective program that deals again with the major social problems.

So tonight, as I conclude, I look forward to working with my colleagues on both sides of the aisle to correct the problems of the past. Hopefully, we will not make the same mistakes to draw the attention of the Congress to this problem, to draw the attention of the American people and particularly our young people about illegal narcotics and what it can do to their lives. We do not want anyone else to end up like this young person did on this sofa, so badly mangled, his life destroyed, his family's future destroyed in a body bag in central Florida or in any other community.

So that is why we are here, that is why we will be back next week. It may get to be a somewhat repetitive message, and people may get tired of hearing me. But I guarantee for the next number of months that I continue to chair this drug policy subcommittee we will call this to the attention of the Congress. The American people seek our help and support, every Member, until we get this situation under control.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Members are reminded to direct their comments to the Chair and not to the television audience.

SHARING THE PROSPERITY OF AMERICA WITH WORKING FAMILIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Madam Speaker, I would like to talk about the need to share the current wealth and prosperity of America with working families.

In 1989, the value of the stock market was $3 trillion. Ten years later, today in 1999, the value of the stocks in all the exchanges is $13 trillion. From $3 trillion to $13 trillion, that is what the increased value of the stock market has been. That is quite an overwhelming increase in wealth.

Madam Speaker, we enjoy unprecedented prosperity today, so I would like to talk about how this prosperity and wealth should be shared with workers. Instead of attacking working families, we need to find ways to reward working families and to share this wealth.

There are many ways to share the wealth and prosperity of the Nation at this point. Certainly I do not propose that we do what the Roman Empire did. At one point the Roman Empire was so wealthy as a result of its conquests, its taxation policies on its oppressed victims, defeated nations around it, that it had so much money that it decreed that every Roman citizen would be paid each year a certain amount of money out of the Treasury. That was real sharing.

I do not think it succeeded for very long because once the word got out that every Roman citizen could share in the booty and they would pay them part of the accumulated wealth of the Nation, all the people in the surrounding countryside moved into Rome. In large numbers, they filled up Rome, and that policy was brought down by the sheer weight of numbers.

Madam Speaker, I do not think we should ever try to repeat anything of that kind; however, I think that we can share the wealth of the Nation with working families by improving health care and making certain that every American citizen has decent health care. I think we can share the prosperity and the wealth of the Nation by making certain that education is available for every American citizen.

The children of working families, for example, are the children who go to public schools. They have no alternative. So our public system of education which, by the way, has 54 million enrolled pupils, that system should be given as much help as possible by all sectors of our economy, governmental and private as well.

So education, health care, I think if you improve those things, it would be two ways to share the wealth with working families.

There is another very concrete and direct way to share the wealth with working families, and that is to share the dollars. The best way to help somebody who is poor is to give them money directly. Dollars in the hands of the poor are the most efficient and effective way to deal with poverty. So, instead of attacking the working families, as some of our present Republican legislation is seeking to do, let us have a bipartisan coalition on helping working families by raising the minimum wage. Let us raise the minimum wage and put some dollars in the pockets of working families, and they can put food on the table, better clothes, better housing and take care of themselves.

We do not have that spirit here in this Congress. I appreciate the fact that we do not have a situation similar to the one that existed just a little more than 2 years ago in the 105th Congress. The 105th Congress started out with a set of direct assaults on working families. We had direct assaults, and we came on with the very first bill of the year. The very first bill in the 105th Congress was H.R. 1, which was designed to take away the cash overtime payments from working families.

Madam Speaker, that may seem like ancient history now, but it was on a roller coaster in the first debates of the 105th Congress. It was on a roller coaster because it had support from the White House, it had support from the majority of the Democrats, a bill which said we will not pay workers any more in cash overtime, we will force them to take comp time, and the comp time has to be taken at the discretion of the employer.

I pointed out, in fact, that what the workers needed was the cash, extra cash that the overtime provided, more than anything else. An argument was offered that, well, there are a lot of professionals and middle-class people who would like to have the option of having time off instead of more cash. I pointed out at that time that we in no way, the Fair Labor Standards Act does not really interfere with people having time off instead of cash. There are ways to deal with that if people prefer that voluntarily.

But what they were doing by mandating that the Fair Labor Standards Act be changed was mandating that every worker had to accept the situation where time off would be at the discretion of the employer and no cash. I pointed out at that time that two-thirds of the people in America who worked for a living, wage earners, two-thirds made less than $10 an hour, less than $10 an hour, and I said: Let those two-thirds who make less than $10 an hour be exempted from your proposed legislation which would mandate time off instead of overtime. And it did get a few votes on the floor, my amendment, but it did not pass.

However, thank God, the forces of common sense were at work all the time, and what seemed like a steamrolling proposition in the early days of the 105th Congress petered out. The labor unions got moving, the common sense of the average worker out there got moving, public opinion became involved, and the whole concept of forcing a change in the Fair Labor Standards Act to require comp time instead of overtime and cash just disappeared. I am very appreciative of the fact that we do not hear any more about it.

There are some other frontal attacks on working families that we do not hear about this year, and I am glad we do not hear them any more. There were frontal attacks on OSHA to merely wipe out the agency, reduce the budget by two-thirds.

□ 1945

OSHA takes care of the health and safety of workers. The Occupational Safety and Health Administration is there to take care of providing safe workplaces. There were attacks which said that OSHA was threatening American industry, that business could not survive if OSHA continued to exist.

These attacks persisted despite the fact that many of us pointed out the fact that OSHA staff had been so reduced that in my lifetime it was not likely that a business would be visited. It takes a cycle of more than 100 years for the inspectors to get around to visiting those businesses out there to examine the conditions to see if they meet OSHA standards.

So OSHA was not a gestapo like agency with numerous staff members to come down on business. That was not true. That frontal attack has ceased, and we are grateful for that.

There was also an attack on the unions and their ability to use their funds for any political purposes. It was called the Paycheck Protection Act. The Paycheck Protection Act was really going for the jugular vein. Wipe out the ability of unions to speak for their members, cut it off completely and if it could not be won at the Federal level there were also movements in the States fomented and encouraged by the leadership of the Republican majority here in the House.

The Paycheck Protection Act is no longer being discussed this year. We are grateful that working families do not have to worry about losing their voice in the political arena. That is no longer a problem.

Then there were the attacks on Davis-Bacon that came loud and frequently. Davis-Bacon was being attacked relentlessly, although as I often point out Davis and Bacon were two Republicans who devised a system for protecting workers in situations where large Federal contracts were involved. They did not want the wages of the local areas to be eroded by having these large contractors come in and bring outside workers in to do the work at lower wages. So it was common sense built in all the way from the beginning.

These frontal assaults, the constant unrelenting attempt to batter down the protections for working families, are not happening here in the 106th Congress.

I serve as the ranking Democrat on the Subcommittee for Workforce Protections of the Committee on Education and the Workforce, and I know that at the committee level and the subcommittee level we are getting a guerilla attack. Guerilla ambushes have replaced the frontal assault. Not the same amount of noise is being made. They do not rush these items to the floor and expect immediate endorsements and passage, but there is a slow chipping away at the protections for working families.

Working families are still in danger in this Republican controlled Congress. Working families still have to fear a bush whacking, a quiet assault, an ambush, in a number of areas. I say that I want to call on this 106th Congress, where all of us, most of us, subscribe to the notion that we are more civil and would like to have a bipartisan approach to certain issues, let us have a bipartisan approach to rewarding working families.

Working families make up the majority of America out there. Working families need better health care. They need decent education. They need more help from the Federal Government for education. First of all, working families need dollars in their pockets, and we can do that by increasing the minimum wage.

Increasing the minimum wage is what I want to talk most about. It is all integrally interwoven. We need to increase the minimum wage and the minimum wage is where there are entry level workers who are now making $5.15 an hour. We have proposed to raise that by fifty cents in one year. That is the President's proposal, fifty cents in one year and then another fifty cents another year, which means a dollar increase over a 2-year period. It will not make anybody rich. People who are making $10,000 a year would be making a little more than $12,000 a year after we raise the minimum wage.

A lot of people have a lot of questions about whether the minimum wage really is important because, after all, most Americans are not making minimum wage. I am going to show some statistics, recent statistics, in a few minutes, to let everyone know that quite a number of Americans still make minimum wage and there are a lot who make below minimum wage, that are working every day for wages below minimum wage because minimum wage is not mandated for the smallest business. There are a number of situations where minimum wage does not impact.

So instead of attacks on working families, I propose that we move forward in a bipartisan effort to reward working families by increasing the minimum wage.

At a town meeting that I had just last night, where there were quite a number of people who came out, people are very concerned about a number of items, a number of Federal actions that are being taken. At the top of the list, of course, is Kosovo and what is going to happen with Kosovo and the intervention of our American forces along with NATO; will we send in ground troops or will they appropriate more money for the effort and in the process of appropriating more money for the war effort will we downgrade the efforts to improve Medicare by having something added to Medicare which will cover prescription drugs; will we downgrade our efforts to improve the education system and say that we have no money because this war effort is going to absorb all the resources? Those are very important questions and people are very concerned about that.

By the way, I asked for a show of hands in an audience of about 200 people as to was there support for the present actions in Kosovo, the bombing of Kosovo, to stop the dictator Milosevic, Slobodan Milosevic, which I call a sovereign predator, responsible for unspeakable horrors in that area of the country, was there support for the present action that the United States was taking along with its NATO allies. Practically every hand in the house went up supporting it. The overwhelming majority, 95 percent of the people, supported taking action.

However, I might point out that when I asked how many would support escalating the combat effort, escalating the effort to the use of ground troops, I had just the opposite reaction. Only about 5 percent raised their hands. I think that is very informative.

To get back to today's subject, their primary concerns, or I might not say primary but equal to Kosovo were concerns about Social Security and concerns about Medicare and concerns about education. These are all things that are very important to working families. When we help to improve education, we are improving a lot of working families.

The public school system that is being attacked by a lot of people in the majority, the Republican majority, they want to replace the public school system with a privatized system. They want vouchers to replace Federal aid to education. They want to give up on the public school system. As I said before, there are 54 million students in the public school system. Fifty-four million students are enrolled.

Only a small percentage of our population of school-age students attend private schools today and if we were to make some kind of effort to greatly increase the funding for private schools, it would still be a very slow process of moving more and more of our youngsters into private schools. So just logistically and statistically, not much help is going to come in the near future from a private school effort or from giving vouchers and sending working family children off to find a private school. So any attacks on public education are also attacks on working families.

One might want to know that the Federal Government does not do very much for these 54 million children out there in public schools. Our expenditure for elementary and secondary education presently is about $22 billion a year. The annual expenditure for elementary and secondary education is about $22 billion. Our current expenditure for highways and transportation is $51 billion, to let everyone see what the contrast is. We are spending only $22 billion for education but $51 billion for highways.

I use that example because a lot of people continue to confront me with the issue of local control and say that it is not the Federal Government's business to worry about education. It is not the Federal Government's business to be involved in education. They ask, why would I want to saddle the Federal Government with responsibilities in the area of education?

Well, let me ask this: Is it the Federal Government's responsibility to be involved in roads and highways? That was always a local responsibility. Highways and roads were for States and local governments to take care of. Nothing in the Constitution gives the Federal Government the responsibility for maintaining the highways and the roads, but now we are at the point where we currently are spending $51 billion.

Last year we had the biggest expenditure in history for highways and transportation approved. That expenditure will be about $218 billion over a 6-year period, $218 billion over a 6-year period. Contrast that with what the President is proposing to spend for school construction. Over a 5-year period he is proposing to spend $3.7 billion to pay the interest on $25 billion worth of loans that the local governments and the State governments will have to make for education. So the contrast is overwhelming.

These are children of working families who go to the public schools. School construction would be an initiative to help working family children.

People say that inner cities do not deserve to be given priority for education funding and we should take away the Title I money and put it into ed-flex and let the governors and the local decisionmakers spend the money for anything they want to related to education. Do not concentrate on the original purpose of Title I. The original purpose of the Federal Government's involvement in education was to help the poorer communities. Forget about that. They do not deserve that. There are Democrats who say that we should not have a construction bill, a school construction bill which gives first priority to the cities. Well, we give first priorities to the inner cities because that is where most of the children are. Most of the population of America lives in the big cities.

When it comes time to fight wars, most of the people who go off to die are the young people from big cities. If one goes to the Vietnam Memorial wall they will find that the wall is full of people who come from the big cities and it is full of the children from working families. Children from working families went out to die in World War I and World War II and children from working families died in Vietnam. If we have a war in Kosovo that expands to a ground war, the majority of those who would die in combat will be from working families in big cities.

Madam Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Speaker, I wanted to come down here to the Floor of the House to compliment the gentleman from New York (Mr. OWENS), my fine colleague, for his special order this evening.

Madam Speaker, I was listening to the gentleman in my office and I was motivated to come down here when he was talking about the minimum wage and the struggle of people from our country to earn a decent living.

I wanted to engage the gentleman in a colloquy, if I might, based on a speech that was made over the weekend and reported in the gentleman's home city of New York City by none other than the chairman of the Federal Reserve, Alan Greenspan.

The story was reported in my local paper back home, the Toledo Blade, because he was talking about workers in our country and saying that, and I quote from the article, ''pockets of workers in America sometimes have to suffer for the national economy to get stronger.'' It was very interesting and, Madam Speaker, I would like to include that article for the RECORD at this point.

Madam Speaker, I ordered a copy of his speech today, and I have read it, because he was speaking to a group in Texas and he was talking about NAFTA. He was talking about how successful it has been.

I was very interested in the gentleman's remarks on minimum wage because Mr. Greenspan, in his speech, argues that international trade has lifted the standard of living of people in this country. I guess I wanted the gentleman to comment whether it is his view that some of the trade arrangements that we have locked ourselves into have been beneficial to the standard of living and to working families' incomes in this Nation. From what the gentleman was saying about the minimum wage, something is not working here.

Obviously, all boats are not being lifted. What was interesting to me about Mr. Greenspan's remarks, in fact, when he said who had to suffer as a result of our trade agreements, he only said workers. He did not say shareholders. He did not say chief executive officers. He did not say executive assistants. He did not say managers.

[From the Toledo Blade, April 17, 1999]

GREENSPAN CONTRADICTS U.S. TRADE VIEW—COMPETITION IS THE GOAL, HE SAYS

WASHINGTON (NYT).—Alan Greenspan waded into the debate over trade policy yesterday, denouncing protectionist pressures and arguing that pockets of workers sometimes have to suffer for the national economy to get stronger.

The Federal Reserve chairman did not address the biggest question on the trade agenda, the possible entry of China into the World Trade Organization. But he outlined a broad case for eliminating trade barriers and warned that attempts to halt the development of a more global economy are futile and harmful.

Mr. Greenspan's influence could help the Clinton administration as it seeks to complete a deal with China and win congressional approval for the pact.

But Mr. Greenspan criticized the administration for framing the benefits of trade in what he called the wrong way. The point of expanding trade is not to create jobs, Mr. Greenspan said, contradicting the President's main argument for why the United States should open new markets.

Rather, Mr. Greenspan said, trade forces the United States to become more competitive, and to use its resources—people, technology and money—in the most productive way.

The Fed chairman took the administration and Congress to task for taking what he called an overly narrow view of trade relations.

''I am concerned about the recent weakening of support for free trade in this country,'' Mr. Greenspan said in a speech to business executives and foreign ambassadors in Dallas.

''Should we endeavor to freeze competitive progress in place, we will almost certainly slow economic growth overall and impart substantial harm to those workers who would otherwise seek more effective long-term job opportunities,'' he said.

Mr. Greenspan spoke after 10 days of debate within the administration and throughout Washington over how hard to push for a deal that would put China under the international rules of trade.

Last week, Mr. Clinton backed away from a deal with China's prime minister, Zhu Rongji, despite sweeping concessions from the Chinese on a variety of trade issues. Mr. Clinton concluded that he would not be able to win approval from Congress because lawmakers are unhappy with China over accusations that it has violated human rights, spread nuclear weapons, and spied on American weapon programs.

But after criticism from business leaders, Mr. Clinton restarted talks with China.

□ 2000

My own view, and perhaps the gentleman would want to comment on this, if we look at our trade deficit with Mexico, now nearly $16 billion a year, making more down there than we are able to sell. They ship their goods here, we do not get as much down there, their people cannot afford to buy; our people lose jobs.

China, which is an issue we are going to be discussing here, $50 billion, $60 billion in trade deficits. The poor workers in China are making 10 cents an hour, and yet we have the downward ratcheting of wages and benefits in this country, which force us to come to the floor here to ask for an increase in the minimum wage.

I just wanted to come down to the floor and to introduce this news article where Mr. Greenspan contradicts U.S. trade views and criticizes Congress. I am mystified why we might be concerned. I thought the gentleman might want to add something to his earlier remarks.

Mr. OWENS. Madam Speaker, I certainly appreciate the gentlewoman from Ohio joining me because she has studied this situation very closely over a long period of time and has a great deal of knowledge and institutional memory as to how we have progressed to the present situation.

I think the gentlewoman will sympathize with me when I say any country which is earning in its stock markets $13 trillion in 1999 versus $3 trillion in 1989, has seen a $10 trillion increase over a 10-year period, why are they worried about the economy faltering and why must that keep going on the backs of workers? We certainly have no danger; if we raise the minimum wage or if we were to pay workers better and create more jobs, that $13 trillion cannot be threatened, or if it wavers a bit and goes down to $12 trillion, what is the difference?

So I had to restrain myself because when I began, our colleagues from the other side had just finished talking about Mexico and the drug trade, and NAFTA came to mind right away. We should have disapproved of NAFTA just for the reason that the Government of Mexico is overwhelmed by the drug trade and that any kinds of laws that we try to enforce there are impossible. We cannot enforce laws that require trade unions to have freedom. We cannot enforce laws on the environment. We cannot enforce laws which would maintain decent minimum wages and working conditions.

Then, when we move to China, China overnight has an overwhelming balance of trade with us, and it is obscene, the amount of the surplus with China in their favor at this point. They not only employ people at low wages, they use prison labor. I heard just this past weekend a manufacturer of toys who openly said that it is manufacturing in the prisons of China. We do not want anything to do with that; do not ask me any questions about it. I do not care what it manufactures, we get a much cheaper price.

So the workers here are directly threatened by that kind of activity in Mexico and in China, and of course the people who benefit are the ones who reap tremendous profits by bringing the very cheap goods in here and selling them at prices that are more consistent with our standard of living and reaping the profit. That is where the $13 trillion versus $3 trillion has been accumulated.

Ms. KAPTUR. Madam Speaker, if the gentleman would just yield to me for one more minute, I would say that Mr. Greenspan seems to think that all trade raises the standard of living of the American people. It might raise the

standard of living of people who can afford to take him out to lunch or dinner along Wall Street in New York City or K Street here in Washington, D.C., but it has not raised the wages of the people that the gentleman from New York is talking about here, where we in Congress have to forcibly ratchet up the minimum wage because people are being told where they work here in the United States, well, if you want any kind of a small wage increase, or maybe you want better health insurance or health insurance at all, if you do not agree to that, we are going to Mexico. I do not understand why an intelligent person like Mr. Greenspan cannot feel the pain and understand the impact of these trade agreements on the vast majority of the American public that has not benefited from the big bang on Wall Street.

The average wages of people in this country and their real buying power has not been going up. They are working; thank God we have done some things right in this country, but they are not able to meet prices.

The other day I went to get a blouse back home, and I walked up to this one rack and I pulled it off the rack and I looked at it, it was $129 made in China. And Mr. Greenspan says in his speeches here that this trade is great for America because we get all these cheap goods. Where? Where are the cheap goods? All the garment workers in the gentleman's city who lost their jobs who were making not great wages, but at least they could keep house and home together, when those jobs were wiped out and replaced by Chinese jobs, I really do not see how he can say this helps the standard of living of the ordinary rank and file, the majority of people in this country. It certainly helps those who trade in stocks on Wall Street, would the gentleman not agree?

Mr. OWENS. Madam Speaker, the $129 blouse probably cost less than $10 to make.

Ms. KAPTUR. I know.

Mr. OWENS. So large profits are reaped by somebody, and that is where the $13 trillion has been accumulated, a $10 trillion increase over the last 10 years. That is obscene when we look at the fact that 40 million people are not covered with any kind of health care and we are nickel and diming our education system in terms of support from the Federal Government, and on and on it goes.

Mr. Greenspan insulted all working people previously by saying that unemployment is good for the economy, and the last thing we wanted was to have full employment. It is ridiculous to allow these icons to go on unchallenged, but as the gentlewoman and I know, we are lucky that lightning has not come down and struck both of us for criticizing Mr. Greenspan. The power structure wants Mr. Greenspan. The President keeps reappointing Mr. Greenspan, the majority of Republicans want Mr. Greenspan. Mr. Greenspan is no friend of working families, and there is a philosophy, and a lot of people in decision-making positions who are not friends of working families. We are missing a golden opportunity in America to have the working families share the prosperity, and it would be good for the entire country to have them share it.

Ms. KAPTUR. Madam Speaker, would the gentleman, who has been such a leader on education, allow me just to say this, because I do not know of any member of the gentleman's committee that has fought as hard for education as the gentleman has in his tenure here in this Congress, and the American people owe you a debt of gratitude for that.

What is very interesting to me in our area of Ohio and around the Midwest, many companies that used to pay taxes for education and used to help schools, got abatement, tax abatement over the last 20 years, and now what is happening is educational systems across this country are faltering at the local level and asking the Congress to appropriate money in order to help for school construction. The President of the United States a couple of months ago was up here asking for money for school construction. This is a shift in priorities of the Federal Government to move into school modernization and construction.

One of the reasons this is happening is that locally, these very same companies that have gotten abatement and are cutting back on their public responsibilities are then shifting that burden up to the Federal Government where we have a lot of other responsibilities, and it is very interesting to me that the gentleman has to fight for dollars for education, dear dollars that we need for curriculum, for instruction, for making up the differential between lower income districts and higher income districts, and yet now we also have to fund buildings. It is amazing to me how much foregone tax revenue there is at the local level. Just another example of corporate America not meeting its public responsibilities.

I would wish for the Federal Reserve to do a study on that.

Mr. OWENS. Madam Speaker, as soon as the tax abatement run out for many of these companies, they are going to leave the gentlewoman's State and go to Mexico or somewhere else.

This is a great argument; of course, I do not like to see the Federal Government be forced to assume new responsibilities, but it is a great argument for the Federal Government assuming more responsibilities for school construction, because the wealth is in the country. It is not in the counties, as it was before, but it is somewhere in the country when we see the $13 trillion stock market value. Let the Federal Government take part of that wealth and use it to build schools across the country. It did not apply 20 years ago; it was not necessary 20 or 25 years ago, but it is necessary now.

What is wrong with safeguarding the national interests by seeing to it that we have adequate schools and school construction is one of those areas where it is most intense in terms of capital. School systems are struggling for operating budgets to keep the right number of teachers and suppliers and all of the other expenses going. Surely, a one-shot expenditure on a massive scale to deal with the fact that the General Accounting Office says we need about, in 1995, we needed about $110 billion just to repair schools that needed repair and to build, to keep up with the current enrollment in 1995, and now we need much more.

So we need a massive injection, similar to the highway bill injection. When we need big money for a purpose that people see day-to-day in having some applicability, then let us spend the money there instead of wasting it in other places, and school construction is one of those places where it is needed.

I think the Federal Government expenditure right now for elementary and secondary education is about $415 per child per year. That is our involvement. Most of the cost of education is still borne by State and local governments. We could afford to have an infusion, a one-shot, one-time set of expenditures for construction and let the Federal Government then get out and leave it to the States on an ongoing basis.

I sympathize when some people say the Federal Government should not interfere with education at the local level. Well, if we build schools, we are not interfering with curriculum and procedures and processes, we are just helping to build schools and then getting out and leaving it to the local government. That is an area where we should be involved. Of course, as I said before, most of those schools are for working families who cannot afford the alternative in terms of private schools. No matter how we play around with that, most working families are going to have to send their children to public schools.

Madam Speaker, I thank the gentlewoman for bringing more light on this subject.

The minimum wage right now is $5.15 an hour. That comes out to $10,000, $10,300 for a worker who works 50 weeks in a year, $10,300 per year. Let that sink in and let people understand that two-thirds of the workforce makes less than $20,000 a year. I did this research when I was fighting the bill which required people to take time off instead of receiving overtime. Two-thirds of the workforce is at the level where they are making only $10 an hour. Two-thirds of the workforce in America are making only $20,000 a year, twice the minimum wage at this point. That is two-thirds of those who earn a living as wage-earners.

The Fair Labor Standards Act of course was amended, and the minimum wage, on September 30, 1996 it was raised to $4.75 an hour, and then September 1, 1997 it was raised to $5.15 an hour. That was when we had the last

increases. Of course at that time we also had to bear an amendment which was called the Opportunity Wage Provision. The Republican majority insisted that workers under age 20 can be paid $4.25 an hour for the first 90 consecutive calendar days after they are hired. That was a compromise that I did not care for, but we had to make that in order to get the bill passed.

Now, people say that well, most workers are already above the minimum wage; they do not have to worry about that. But 1.6 million workers were paid by the hour at hourly wages of $5.15 in 1998. Madam Speaker, 2.8 million workers were making less than that. Some workers are paid below the minimum wage because, as I said before, because of the provision for youth workers, and then there are small businesses that are exempted from the minimum wage, very small businesses exempted.

Over the last 30 years, how has the minimum wage kept pace with inflation? I just said before that in 10 years, the stock market value went from $3 trillion to $13 trillion. Now, do we have any kind of overwhelming increase like that with the minimum wage? No. From 1961 to 1981, the real value of the minimum wage was above $6 an hour every year but one. During that period, it fell below $6 an hour one time in 1973.

□ 2015

Since 1981 the real value of the minimum wage has stayed below $6 an hour. President Clinton's proposed increase would restore hardworking minimum wage families' purchasing power to the level that it held for almost 6 years, almost 20 years, way back.

It did hold, with the cost of living and inflation, for a 20-year period, but now 20 years has gone by since it was at the level of $6 an hour. We would be going to that level if we increased the present minimum wage in two stages, $5.15 and then, 35 cents one year and 50 cents another year up to the point where it would be $6.15.

People say that most of the minimum wage workers are young people in fast food joints and odd jobs after school, and it does not matter if they make the minimum wage, but the statistics and the studies show that 65 percent of minimum wage workers are adults 20 years or older. Sixty-five percent of the people who earn the minimum wage are adult workers 20 years or older.

Some people say it does not help women and minorities because as we raise the minimum wage, employers lay off people, and a lot of women and minorities who would benefit from more jobs lose jobs as the minimum wage forces employers to cut the number of jobs.

Well, women would be helped by increasing the minimum wage. Most minimum wage workers are women right now. Almost 1 million women are paid $5.15 an hour. An additional 5.8 are paid wages less than $6.14 an hour.

Fifty-nine percent of all who would benefit from the increase are women. Nineteen percent of all hourly paid women would benefit from the increase. Seventy four percent of female low-wage workers are adults. Five million of the women are age 20 years or older. They are paid these minimum wages. Raising the minimum wage would provide a modest pay raise to the poorest working women, many of whom are raising children.

Over 15 percent of those who would benefit from an increase are African American women, and 18 percent are Hispanic women. Together they number 3.8 million workers.

The question was asked, is the minimum wage targeted to help poor people? As I said before, the myth is that as we raise the minimum wage, we have decreased the number of jobs because employers lay off people, or they cut the jobs in order to increase their profits.

That is not true. According to a study by the Economic Policy Institute on the impact of the 1996 50-cent increase in the minimum wage, the benefits of the increase went primarily to low-income working families.

The minimum wage can provide a foothold into the middle class. A family with two full-time workers who work all year round would earn $25,000 a year with a $6.15 minimum wage. Increasing the minimum wage will help these workers to make up for lost ground due to inflation. It will help make work pay.

Some other facts are, people always argue that the unskilled jobs and the disadvantaged workers are not going to be benefited, again because the number of those jobs will be decreased if we raise the minimum wage.

But between September, 1996, and March of this year, 1999, the unemployment rate for high school dropouts has declined from 8.2 percent to 6.1 percent. The unemployment rate for African Americans has dropped from 10.6 percent to 8.1 percent.

The unemployment rate for Hispanic Americans has dropped from 8.3 percent to 5.8 percent. The unemployment rate for teens has dropped from 15.7 percent to 14.3 percent. The unemployment rate for black teens has dropped from 33 percent to 31 percent.

We would like to see all of these drops be more dramatic, but the fact is that the arguments that we do not help the poorest people or we do not help teenagers or we do not help minorities when we raise the minimum wage are totally discredited. No study has shown that this is true.

When we talk about welfare recipients, a major problem of welfare recipients who entered the labor market so far is not their inability to find a job, but the fact that the earnings are very low. Increasing the minimum wage would increase the earnings of former welfare recipients and make it really worthwhile for them to be working instead of on welfare.

Starting wages of welfare recipients in the job market average about $6.50 an hour, with significant fractions of recipients earning $5 and $6 an hour. Quarterly earnings of welfare recipients tend to be about $2,000 to $2,500 per quarter when they work, and just about $1,500 to $2,000 for high school dropouts.

These low earning figures reflect the low wages as well as the high turnover rates in these jobs. Two problems, the low wages, and these jobs do not usually last for all year round. They are sporadic. There are periodic layoffs, and people do not earn money 50 weeks in a year.

Virtually all research on minimum wage increases show little or no effects on the employment rates of young people. The vast majority of studies also show that minimum wage increases do reduce poverty rates, and no credible study has shown anything different, as I said before.

Minimum wage workers benefit more and sooner if we raise the wages, as we did before, 50 cents per year. So the present proposals that are being floated by the Republicans, where some call for increases of only 25 cents per year, do not propose to move fast enough with enough money to make it significant. It is not sharing with workers, when we have a $13 trillion economy, to talk about we will give them a minimum wage increase of only 25 cents per year.

Minimum wage workers benefit more and they benefit sooner under the proposed Kennedy-Bonior proposal than under any of the Republican proposals. The Republican proposals would take money out of the minimum wage pockets.

For example, in the first year of the Quinn bill, a full-time minimum wage worker earns nearly $200 less than under the Kennedy-Bonior bill. In the second year, the Republican bill gap rises to $571 less than they would make under the Kennedy-Bonior bill.

There is a Shimkus proposal also, and the wage gap is worse under the Shimkus proposal. If the minimum wage increases by 25 cents in 1999, a full-time minimum wage worker earns $487 less in real terms than they would earn under the Kennedy-Bonior proposal.

A second 25-cent increase in 2000 leaves workers even further behind, with a $951 gap between the Kennedy-Bonior proposal and the Shimkus proposal.

In the first 2 years, the Kennedy-Bonior bill would benefit more workers than the Quinn proposal, which is 11.4 million workers compared to 7 million. The Quinn bill does nothing for over 4 million needy workers and their families. The Shimkus proposal helps even fewer low-wage workers.

As I said before, the President's proposal is a simple 50-cent increase on September 1, 1999, and a 50-cent increase on September 1, 2000. As I said before, that would bring the minimum

wage earner from the $10,000 a year up to $12,000 a year if they worked 50 weeks in a year, still much too low but an important improvement.

Congress did raise the minimum wage by 50 cents in 1996 and 40 cents on September 1, 1997, and this time we propose to do it, through the President's proposal, a little better than that.

The minimum wage is still low in historical terms. The value of the minimum wage reached its peak in 1968, when the value in real dollar terms was $7.49 in terms of dollars, dollar values in 1998. We were up that high, $7.49 in 1968.

During President Reagan's 8 years in office, the real value of the minimum wage went down by about 25 percent. Today, even after the 90-cent increase that President Clinton pushed through Congress, the minimum wage is only $5.15 an hour, and the new proposal would increase it by another $1 in two steps. This last increase in percentage terms is in line with previous ones that helped low wage workers without adversely affecting the economy. Both this proposal and the last one increased the minimum wage by about 20 percent.

I could go on and on, but I do not want to talk more about facts related to the minimum wage. I think the point is made, that no studies have been brought forward to show that the economy is in any way harmed by an increase in the minimum wage. Workers certainly are not harmed by losing jobs. Unemployment now is much higher than it was when the minimum wage increase started 2 years ago.

States have minimum wages. A few of them have minimum wages larger than the Federal Government minimum wage, but some States, of course, have no minimum wage, and often do not abide by the Federal minimum wage. They have a lot of jobs that do not pay even the minimum wage.

I think Texas, if we want to look at the largest number of people earning the minimum wage, Texas has 211,000 in its State, and 4.2 percent of the work force is earning minimum wage. They have another 838,000 people who earn between $5.15 an hour and $6.14 cents an hour. That comes to 16.6 percent of the work force at very low wage levels.

So we need to share the wealth. If we have $3 trillion, if we move from $3 trillion to $13 trillion on the stock market, there is no sound argument for not raising the minimum wage. Of all the ways to share the wealth, the best and easiest way, the most direct way, is to increase the dollars in the pockets of the workers. Working families need more money.

So I appreciate the fact that we are not openly attacking workers, as we did in the 105th Congress. I appreciate the fact that the first bill on the agenda was not a bill to take away overtime, as we did in the 105th Congress.

I appreciate the fact that we are not any longer waging war on labor unions, to take away their ability to speak for their workers by having a so-called Paycheck Protection Act, which throttles the voices of unions. I appreciate the fact that there are no loud voices being raised to try to end Davis-Bacon for Federal contract jobs.

But the truth is, in all of these areas there is still a guerilla war going on. The guerilla war is more subtle. The guerilla war is designed to hoodwink working families.

Davis-Bacon is being attacked behind the scenes. Davis-Bacon is being again used as a scapegoat for not approving a massive school construction appropriation. They are saying that Davis-Bacon drives up the cost of school construction, despite the fact that there have been several scientific studies which show that Davis-Bacon does not drive up the cost.

Mr. Peter Phillips has made several studies showing that if we remove Davis-Bacon, the cost may remain the same or go higher, but what happens is that the wages of the workers go down and the profits of the contractors go up. That is the only thing we accomplish when we remove Davis-Bacon from contracts.

State Davis-Bacon laws, similar State Davis-Bacon prevailing wage laws have been changed in certain Midwestern States. They have seen that it does not lower the cost of school construction, it only raises the profits of contractors. So Davis-Bacon should not be an issue.

However, in the circles of Congress there is still talk of blocking any appropriation for school construction because of Davis-Bacon, or holding school construction appropriations hostage by saying that we will do it only if you get rid of Davis-Bacon.

I understand the Committee on Ways and Means has made some steps forward in terms of the Democratic leadership over there. The ranking Democrat on the Committee on Ways and Means recently announced in a session of the Congressional Black Caucus that he would certainly support the continuation of Davis-Bacon on the school construction bill proposed through Committee on Ways and Means.

That is the President's proposal that we borrow $25 billion, and the States and local governments would be helped by the Federal Government, by the Federal Government paying the interest through a tax credit vehicle on the $25 billion for school construction.

So I hope that the guerilla warfare will cease. We had some problems recently in the subcommittee on Workforce Protections, my subcommittee where I serve as the ranking Democrat. We had a problem with an attempt to get rid of bonuses as part of the computation of the rate of pay for a worker.

If we remove the bonuses, then the hourly rate of the worker goes down, and we can have the worker work overtime and he gets less money if the bonus is not computed as part of his hourly pay. That is what we call a bushwacking, an ambush of the working families, to try to take away their overtime through a much less visible approach.

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H.R. 1 was a highly visible direct assault by mandating, it called for mandating the use of comp time instead of cash payments for overtime. So we would like to see working families not have to fight so hard to get their share of the wealth.

I would like to even go further and say that the problem of Social Security, problem of health care, we should look at taxing unearned income. Unearned income may be the source of the solution to the Social Security problem. If we would put a Social Security tax, as I am proposing, on unearned income, we would guarantee Social Security for an infinite number of years in the future.

At the same time, we could lift the tax off the backs of the workers. Working families have had the biggest tax increase over the last two decades through the payroll tax. Most people do not realize that because they do not look at taxes in that way. But the payroll tax increase has been not a progressive tax, but a regressive tax, and fallen on the backs of wage earners. At the same time, we have had this tremendous increase in wealth for the people who have unearned income.

I did not invent these two terms. These are economic terms that have been around for a long time. Earned income is the income of working people, the people who earn wages. Those dollars are called earned income. Investments and income from rent and other sources are called unearned income.

I do not know why we discriminate against earned income and all the taxes are just on earned income. Only 11 percent of unearned income is taxed. We ought to take a look at a tax reduction policy for working families. That is another issue that should be considered.

But, first of all and foremost, I think that the current consideration is the need for a bipartisan approach to the passage of a meaningful increase in the minimum wage, a meaningful increase. We do not want a bipartisan increase. The bipartisanism forces us to sacrifice the reality of it.

The reality is that no less than $1 over a 2-year period is acceptable. We need so much more than that. Consider the $13 trillion versus the $3 trillion, and my colleagues will see the kind of magnitude that our wealth has increased by.

No less should happen in terms of the various programs that we, as the policymakers here in Congress, approve for working families. We need to help working families through health care. We need to help working families by providing health care plans and health care systems that take care of everybody.

We need to help working families by increasing Federal aid to education, first of all building more schools and better schools and repairing schools and modernizing schools and equipping schools with the technology that they need.

Finally, we need to help working families first of all, most immediately and most directly, by passing immediately an increase in the minimum wage.

CORRECTION TO THE CONGRESSIONAL RECORD OF MONDAY, APRIL 19, 1999 AT PAGE H2135

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 16, 1999.

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

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 16, 1999 at 12:00 noon.

That the Senate passed without amendment H.R. 911.

That the Senate passed without amendment H.R. 1376.

That the Senate agreed to the Conference Report on H. Con. Res. 58.

Appointments: Congressional advisers on trade agreements. United States Commission on Civil Rights.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SAXTON of New Jersey (at the request of Mr. ARMEY) for today and until 3 p.m., Wednesday, April 21, on account of personal reasons

Mr. NUSSLE (at the request of Mr. ARMEY) for today and the balance of the week on account of a death in the family.

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. OSE) to revise and extend their remarks and include extraneous material:)

Mr. SHADEGG, for 5 minutes, today and April 21.

Mr. HORN, for 5 minutes, April 21.

Mr. HULSHOF, for 5 minutes, today and April 21.

Mr. DEMINT, for 5 minutes, April 21.

Mr. PORTER, for 5 minutes, April 21.

Mr. TANCREDO, for 5 minutes, today.

Mr. KNOLLENBERG, for 5 minutes, April 21.

Mrs. MORELLA, for 5 minutes, April 21.

Mr. DUNCAN, for 5 minutes, today.

Mr. HUTCHINSON, for 5 minutes, April 21.

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mr. ROMERO-BARCELÓ, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mrs. MEEK of Florida, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 60 minutes, today.

Mr. OWENS, for 60 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 249. An act 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.

S. 426. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes; to the Committee on Resources.

S. 430. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes; to the Committee on Resources.

S. 453. An act to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the ''Hurff A. Saunders Federal Building''; to the Committee on Transportation and Infrastructure.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 21, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1594. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for livestock price reporting; to the Committee on Agriculture.

1595. A letter from the Director, Office of Management and Budget, transmitting a report that the enclosed appropriation to the Department of Agriculture has been apportioned on a basis that indicates the necessity for a supplemental appropriation, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

1596. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to extend the expiration date of the Defense Production Act of 1950, and for other purposes; to the Committee on Banking and Financial Services.

1597. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule—Bumper Standard [Docket No. NHTSA 99–5458] (RIN: 2127–AH59) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1598. A letter from the Director, Office of Administration and Management, Department of Defense, transmitting a report pursuant to section 3349 of the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1599. A letter from the Director, Office of Administration and Management, Department of Defense, transmitting a report pursuant to section 3349 of the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1600. A letter from the Secretary of Agriculture, transmitting notification of two vacancies within the Department of Agriculture in positions which require appointment by the President, by and with the advice and consent of the Senate; to the Committee on Government Reform.

1601. A letter from the Secretary of Housing and Urban Development, transmitting a copy of the Government National Mortgage Association management report for the fiscal year ended September 30, 1998; to the Committee on Government Reform.

1602. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting a draft of proposed legislation to extend the authorization for Title XI of Public Law 104–333, California Bay Delta Environmental Enhancement Act; to the Committee on Resources.

1603. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines [Docket No. 98–ANE–39–AD; Amendment 39–11123; AD 99–08–17] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1604. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–80A, CF6–80C2, and CF6–80E1 Series Turbofan Engines [Docket No. 98–ANE–49–AD; Amendment 39–11119; AD 99–08–13] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1605. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW2000 Series Turbofan Engines [Docket No. 98–ANE–61–AD; Amendment 39–11120; AD 99–08–14] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1606. A letter from the Program Support Specialist, Aircraft Certification Service,

Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT9D Series Turbofan Engines [Docket No. 98–ANE–47–AD; Amendment 39–11118; AD 99–08–12] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1607. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International (CFMI) CFM56–2, –2A, –2B, –3, –3B, and –3C Series Turbofan Engines [Docket No. 98–ANE–38–AD; Amendment 39–11122; AD 99–08–16] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1608. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; International Aero Engines AG (IAE) V2500–A1/–A5/–D5 Series Turbofan Engines [Docket No. 98–ANE–45–AD; Amendment 39–11117; AD 99–08–11] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1609. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–6, CF6–45, and CF6–50 Series Turbofan Engines [Docket No. 98–ANE–41–AD; Amendment 39–11124; AD 99–08–18] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1610. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4000 Series Turbofan Engines [Docket No. 98–ANE–66–AD; Amendment 39–11121; AD 99–08–15] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1611. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R44 Helicopters [Docket No. 99–SW–25–AD; Amendment 39–11127; AD 99–07–18] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1612. A letter from the Program Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters [Docket No. 99–SW–24–AD; Amendment 39–11126; AD 99–07–17] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1613. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 97–NM–315–AD; Amendment 39–11128; AD 99–08–20] (RIN: 2120–AA64) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1614. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 29528; Amdt. No. 415] received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1615. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Port Clinton, OH [Airspace Docket No. 98–AGL–73] received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1616. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes; jointly to the Committees on Armed Services, Ways and Means, Government Reform, Commerce, Transportation and Infrastructure, Resources, Rules, Banking and Financial Services, International Relations, Veterans' Affairs, and Intelligence (Permanent Select).

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. GOODLING: Committee of Conference. Conference report on H.R. 800. A bill to provide for education flexibility partnerships (Rept. 106–100). Ordered to be printed.

Mr. DREIER: Committee on Rules. House Resolution 142. Resolution providing for consideration of the bill (H.R. 1184) to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 2000 and 2001, and for other purposes (Rept. 106–101). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 143. Resolution waiving points of order against the conference report to accompany the bill (H.R. 800) to provide for education flexibility partnerships (Rept. 106–102). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ARMEY (for himself, Mr. MORAN of Virginia, Mr. COX, Mr. BOEHNER, Mr. MILLER of Florida, Mr. BARTLETT of Maryland, Mr. WELDON of Florida, Mr. ROYCE, Mr. MCINTOSH, Mrs. NORTHUP, Mr. COOKSEY, Mr. PITTS, and Mr. DOOLEY of California):

H.R. 1475. A bill to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims, and for other purposes; to the Committee on Commerce.

By Mr. EVANS (for himself, Ms. BROWN of Florida, Mr. COSTELLO, Ms. DANNER, Mrs. MEEK of Florida, Mr. BISHOP, Mr. DOYLE, Mrs. JONES of Ohio, Mr. STRICKLAND, Mrs. KELLY, and Mr. LIPINSKI):

H.R. 1476. A bill to direct the Secretary of Veterans Affairs to establish additional national cemeteries for veterans; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. DEUTSCH, Mr. SHOWS, Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, Mr. LIPINSKI, Mr. MCGOVERN, Mr. FRANKS of New Jersey, Mr. GUTIERREZ, Mrs. JONES of Ohio, Mr. PASCRELL, Mr. SAXTON, Mr. PALLONE, Mrs. MALONEY of New York, Mr. SHERMAN, Mr. WEXLER, Mr. KING, Mr. MALONEY of Connecticut, Mr. CROWLEY, Mr. ACKERMAN, Mr. FROST, Mr. GONZALEZ, Ms. WOOLSEY, Ms. KAPTUR, Mr. THOMPSON of Mississippi, Mr. WAXMAN, Mr. KENNEDY of Rhode Island, Mr. STARK, Ms. NORTON, Mr. SMITH of Washington, and Ms. SLAUGHTER):

H.R. 1477. A bill to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes; to the Committee on International Relations.

By Mrs. MALONEY of New York:

H.R. 1478. A bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 1479. A bill to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to provide for renewal of contracts for rental assistance under section 8 of the United States Housing Act of 1937 for moderate rehabilitation projects in the same manner as other projects with such expiring contracts; to the Committee on Banking and Financial Services.

By Mr. SHUSTER:

H.R. 1480. A bill to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; 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 Ms. BERKLEY:

H.R. 1481. A bill to designate the United States courthouse under construction at 333 Las Vegas Boulevard South in Las Vegas, Nevada, as the ''Lloyd D. George United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. CARDIN (for himself, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. JEFFERSON, and Mr. LEVIN):

H.R. 1482. A bill to reauthorize the Welfare-To-Work program to provide additional resources and flexibility to improve the administration of the program; to the Committee on Ways and Means.

By Mr. CRANE (for himself, Mr. BENTSEN, Mr. RANGEL, Mr. STARK, Mr. CAMP, Mr. COYNE, Mr. CARDIN, Mr. ENGLISH, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. ROMERO-BARCELO, Mr. GREEN of Texas, and Mr. FROST):

H.R. 1483. A bill to amend title XVIII of the Social Security Act to ensure the proper payment of approved nursing and paramedical education programs under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 1484. A bill to authorize appropriations for homeless veterans reintegration projects under the Stewart B. McKinney Homeless Assistance Act; to the Committee on Banking and Financial Services.

By Mr. FRANK of Massachusetts (for himself, Mr. FROST, Mr. DIAZ-BALART, Mr. BENTSEN, Mr. DELAHUNT, Mr. DEUTSCH, Mr. FILNER, Mr. GONZALEZ, Mr. GREEN of Texas, Mr.

GUTIERREZ, Mr. HALL of Texas, Mr. LAMPSON, Ms. LEE, Mr. HINCHEY, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, Mrs. MALONEY of New York, Mr. MARTINEZ, Mr. MCGOVERN, Mrs. MEEK of Florida, Mr. MENENDEZ, Mrs. MORELLA, Mr. ORTIZ, Mr. PASTOR, Mr. REYES, Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. SHAYS, and Mr. WYNN):

H.R. 1485. A bill to permit certain long-term permanent resident aliens to seek cancellation of removal or waiver of inadmissibility under the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey (for himself and Mr. MEEHAN):

H.R. 1486. A bill to provide for a transition to market-based rates for power sold by the Federal Power Marketing Administrations and the Tennessee Valley Authority, and for other purposes; to the Committee on Resources, and in addition to the Committees on Transportation and Infrastructure, and 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. HANSEN:

H.R. 1487. A bill to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906; to the Committee on Resources.

By Mr. HYDE (for himself and Ms. WOOLSEY):

H.R. 1488. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to repeal provisions relating to the State enforcement of child support obligations and the disbursement of such support and to require the Internal Revenue Service to collect and disburse such support through wage withholding and other means; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina:

H.R. 1489. A bill to clarify boundaries on maps related to the Coastal Barrier Resources System; to the Committee on Resources.

By Mr. KOLBE:

H.R. 1490. A bill to authorize the Secretary of the Interior to set aside up to $2 per person from park entrance fees or assess up to $2 per person visiting the Grand Canyon or another national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Resources.

By Mr. MATSUI (for himself, Mr. BONIOR, Mr. BENTSEN, and Mr. BECERRA):

H.R. 1491. A bill to amend the Trade Act of 1974 to consolidate and enhance the trade adjustment assistance and NAFTA transitional adjustment assistance programs under that Act, and for other purposes; to the Committee on Ways and Means.

By Mr. GARY MILLER of California:

H.R. 1492. A bill to amend the Safe Drinking Water Act to provide for parity between private entities and public entities with respect to civil actions against the entities that arise from the ownership or operation of public water systems; to the Committee on Commerce.

By Mr. NUSSLE:

H.R. 1493. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to transfer Federal participation in the America's Agricultural Heritage Partnership in the State of Iowa to the Secretary of the Interior, and for other purposes; to the Committee on Resources.

By Mr. PITTS (for himself, Mr. GOODLING, Mr. HASTERT, Mr. DELAY, Mr. ARMEY, Mr. WATTS of Oklahoma, Mr. ISTOOK, Mr. SALMON, Mr. SMITH of New Jersey, Mr. SCHAFFER, Mr. HAYWORTH, Mr. ROYCE, Mr. HILLEARY, Mr. CHAMBLISS, Mr. SUNUNU, Ms. GRANGER, Mr. COOKSEY, Mr. TALENT, Mrs. EMERSON, Mr. SMITH of Michigan, Mr. BARTLETT of Maryland, Mr. BLILEY, Mr. MCINTOSH, Mr. HUTCHINSON, Mr. HORN, Mr. CHABOT, Mr. HEFLEY, Mr. JENKINS, Mr. PICKERING, Mr. BASS, Mr. DOOLITTLE, Mr. HOEKSTRA, Mr. PETERSON of Pennsylvania, Mr. BURTON of Indiana, Mr. STUMP, Mr. MANZULLO, Mrs. MYRICK, Mr. HANSEN, Mr. DREIER, Mr. BEREUTER, Mr. BOEHNER, Mr. GIBBONS, Mr. METCALF, Mr. CANADY of Florida, Mr. BARR of Georgia, Mr. FORBES, Mr. GUTKNECHT, Mr. LEWIS of Kentucky, Mr. TIAHRT, Mr. MCCRERY, Mr. DUNCAN, Mr. EHRLICH, Mr. KOLBE, Mr. FOSSELLA, Mr. SENSENBRENNER, Mr. THUNE, Mr. ENGLISH, Mr. COBURN, Mr. SHIMKUS, Mrs. CHENOWETH, Mr. LATHAM, Mr. ROGAN, Mr. EWING, Mr. HOSTETTLER, Mr. KASICH, Mr. HASTINGS of Washington, Mr. COLLINS, Mr. CANNON, Mr. WICKER, Mr. HALL of Texas, Mr. GILLMOR, Mr. BURR of North Carolina, Mr. HERGER, Mr. WELDON of Florida, Mr. TANCREDO, Mr. MICA, Mr. SKEEN, Mr. FRANKS of New Jersey, Mr. LARGENT, Mr. BLUNT, Mr. POMBO, Mr. KNOLLENBERG, Mr. DEMINT, Mr. SCARBOROUGH, Mr. GARY MILLER of California, Mr. LOBIONDO, Mr. BRYANT, Mr. SESSIONS, Mr. BARTON of Texas, Mr. HAYES, Mr. SAM JOHNSON of Texas, Mr. RADANOVICH, Mr. SPENCE, Mr. RYUN of Kansas, Mr. DIAZ-BALART, Mrs. CUBIN, Mr. BRADY of Texas, Mr. REGULA, Mr. LUCAS of Oklahoma, Mr. RUSH, Mr. FOLEY, Mrs. ROUKEMA, Mr. CALVERT, Mr. MCCOLLUM, Mr. TOOMEY, Mr. TERRY, Mr. COMBEST, Mr. GOODLATTE, Mr. GREEN of Wisconsin, Mr. SWEENEY, Mr. KUYKENDALL, Mr. FLETCHER, Mr. EVERETT, Mr. TAYLOR of North Carolina, Mr. NUSSLE, Mr. JONES of North Carolina, Mr. GRAHAM, Mrs. BONO, Mr. NORWOOD, Mr. BUYER, Mr. ADERHOLT, Mr. HULSHOF, Mr. DICKEY, Mr. RYAN of Wisconsin, and Mr. MILLER of Florida):

H.R. 1494. A bill to provide dollars to the classroom; to the Committee on Education and the Workforce.

By Mr. STARK (for himself, Mr. DINGELL, Mr. WAXMAN, Mr. RANGEL, Mr. BROWN of Ohio, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BALDACCI, Mr. FROST, Mr. FILNER, Mr. ALLEN, Mr. MOAKLEY, Mr. DEFAZIO, Ms. KAPTUR, Mr. FRANK of Massachusetts, Mr. MEEHAN, Mr. BOUCHER, Ms. SCHAKOWSKY, Ms. PELOSI, Mr. TIERNEY, Mr. DELAHUNT, Mrs. THURMAN, Mr. CAPUANO, and Mr. MARKEY):

H.R. 1495. A bill to amend title XVIII of the Social Security Act to provide for coverage of outpatient prescription drugs under the Medicare Program; 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. TALENT (for himself, Mr. DOOLEY of California, Mr. HASTERT, Mr. MORAN of Virginia, Mr. GOODLING, Mr. COSTELLO, Mr. GREENWOOD, Mr. CONDIT, Mr. EHLERS, Mr. GOODE, Mrs. KELLY, Mr. BLAGOJEVICH, Mrs. BIGGERT, and Mr. ARMEY):

H.R. 1496. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; 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. UDALL of New Mexico (for himself, Mr. THUNE, Mr. PASCRELL, Mrs. KELLY, Mr. HILLIARD, Mr. MCINTYRE, Mr. SANDERS, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, Mr. PHELPS, Mr. ENGLISH, Mr. DAVIS of Illinois, Mrs. JONES of Ohio, Mr. MOORE, and Mr. WEINER):

H.R. 1497. A bill to amend the Small Business Act with respect to the women's business center program; to the Committee on Small Business.

By Mrs. WILSON:

H.R. 1498. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCKEON (for himself, Mr. GOODLING, Mr. PETRI, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. BOEHNER, Mr. HOEKSTRA, Mr. CASTLE, Mr. GREENWOOD, Mr. GRAHAM, Mr. NORWOOD, Mr. SOUDER, Mr. DEAL of Georgia, Mr. EHLERS, Mr. FLETCHER, Mr. DEMINT, Mr. ISAKSON, Mr. HULSHOF, Mr. HERGER, Mr. ROGAN, Mr. KUYKENDALL, and Mr. GARY MILLER of California):

H. Con. Res. 88. Concurrent resolution urging the Congress and the President to increase funding for the Pell Grant Program and existing Campus-Based Aid Programs; to the Committee on Education and the Workforce.

By Mr. MINGE:

H. Con. Res. 89. Concurrent resolution recognizing the Hermann Monument and Hermann Heights Park in New Ulm, Minnesota, as a national symbol of the contributions of Americans of German heritage; to the Committee on Resources.

By Mr. LAMPSON (for himself, Mr. FRANK of Massachusetts, Mr. SANDERS, Mr. BLAGOJEVICH, Mr. BROWN of California, Mr. COSTELLO, Mr. BERMAN, Mr. SHERMAN, Mr. ROMERO-BARCELO, Mr. FROST, Mr. KENNEDY of Rhode Island, Ms. SCHAKOWSKY, Mr. UDALL of New Mexico, Mr. GREEN of Texas, Mr. FARR of California, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. BARRETT of Wisconsin, Mr. BENTSEN, Mr. RODRIGUEZ, Mr. FILNER, Ms. LOFGREN, Mr. GONZALEZ, and Mr. WU):

H. Res. 144. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued commemorating Cesar E. Chavez; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LAMPSON introduced a bill (H.R. 1499) for the relief of Jean-Loup J. M. Chretien; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. CLYBURN, Mr. JONES of North Carolina, Mr. HUTCHINSON, Mr. COBURN, Mr. MANZULLO, Mr. GIBBONS, Mr. EWING, Mr. TALENT, Mr. CLEMENT, and Mr. LEACH.

H.R. 8: Mr. DUNCAN, Mr. HILLEARY, and Mr. HOEKSTRA.

H.R. 9: Mr. GOODE.

H.R. 17: Mr. DICKEY.

H.R. 19: Mr. RYAN of Wisconsin.

H.R. 25: Mr. NADLER, Mr. SERRANO, Mr. CROWLEY, and Mr. KING.

H.R. 36: Mr. MEEHAN, Mr. CUMMINGS, Mr. LEWIS of Georgia, Mr. NADLER, Mr. KUCINICH, Mr. COSTELLO, Mr. WAXMAN, and Mr. CLAY.

H.R. 44: Mr. WELDON of Florida, Mrs. CAPPS, Mr. SMITH of Washington, Mr. CANADY of Florida, and Mr. SANDERS.

H.R. 45: Mr. LAHOOD, Mr. SUNUNU, Mr. MICA, and Mr. ISAKSON.

H.R. 49: Mr. WYNN, Mr. LANTOS, Mr. MATSUI, and Mrs. MORELLA.

H.R. 65: Mr. MCINTYRE and Mr. SMITH of Washington.

H.R. 88: Mr. EHLERS, Mrs. MYRICK, Mr. PRICE of North Carolina, Mr. LAFALCE, Mr. WALSH, Mr. HOLT, Ms. RIVERS, Mr. ETHERIDGE, Mr. DOYLE, Mr. DEFAZIO, Mr. FORD, Mr. BLUMENAUER, Mr. GEORGE MILLER of California, Mr. CLEMENT, Mr. ENGLISH, Mr. MORAN of Virginia, Mr. BARRETT of Nebraska, Mr. SNYDER, Mr. CAMP, Mr. SANDLIN, Ms. BALDWIN, Mr. WAXMAN, Mr. BATEMAN, Mr. BARRETT of Wisconsin, Mr. MARKEY, Mr. DICKS, and Mr. HOEKSTRA.

H.R. 104: Mr. GARY MILLER of California.

H.R. 106: Mr. BARCIA.

H.R. 107: Mr. COX and Mr. BARCIA.

H.R. 148: Mr. BROWN of Ohio and Ms. LEE.

H.R. 165: Mr. HYDE and Mr. LAFALCE.

H.R. 170: Mr. WU, Mr. KUYKENDALL, Mr. RUSH, Mr. GONZALEZ, Mr. DUNCAN, Mr. CRAMER, and Ms. SCHAKOWSKY.

H.R. 194: Mr. HOUGHTON.

H.R. 206: Mr. BONIOR.

H.R. 208: Mr. HOYER.

H.R. 218: Mrs. EMERSON.

H.R. 220: Mr. POMBO.

H.R. 284: Mr. HALL of Texas.

H.R. 303: Mrs. CHENOWETH, Mr. TURNER, Mr. MCINTYRE, Mr. HALL of Texas, and Mr. HASTINGS of Florida.

H.R. 347: Mr. SKELTON.

H.R. 351: Mr. MALONEY of Connecticut and Mr. MINGE.

H.R. 357: Mr. MINGE.

H.R. 382. Mr. FARR of California and Mr. WAXMAN.

H.R. 383: Mr. COOK, Mr. MATSUI, Mr. WHITFIELD, and Ms. STABENOW.

H.R. 410: Mr. LUTHER.

H.R. 413: Mrs. CAPPS, Mr. CLEMENT, Mr. BROWN of California, Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. MEEKS of New York, Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. FALEOMAVAEGA, Mr. BECERRA, Mr. PRICE of North Carolina, Mr. BENTSEN, Mr. HALL of Ohio, Mr. BOUCHER, Mr. BOEHLERT, Mr. GEJDENSON, Ms. MCKINNEY, Mr. BARRETT of Wisconsin, Ms. JACKSON-LEE of Texas, Mr. MCCOLLUM, Mrs. KELLY, Mr. ANDREWS, and Mr. CAMPBELL.

H.R. 423: Mr. ROYCE and Mr. COSTELLO.

H.R. 424: Mr. KUCINICH, Mr. SANDLIN, and Mr. DAVIS of Illinois.

H.R. 430: Mr. CONDIT, Mr. FRELINGHUYSEN, Mr. COBURN, Mr. BERMAN, Mr. HALL of Texas, and Mr. POMBO.

H.R. 456: Mr. BONILLA.

H.R. 464: Mr. HILLEARY.

H.R. 497: Mr. BONILLA, Mr. HALL of Texas, Mr. COMBEST, Mr. JOHN, Mr. NEY, Mr. SANDLIN, Mr. LUCAS of Oklahoma, Mr. BENTSEN, and Mr. STENHOLM.

H.R. 498: Mr. BONILLA, Mr. COMBEST, Mr. STENHOLM, Mr. JOHN, Mr. SANDLIN, and Mr. HALL of Texas.

H.R. 518: Mr. CAMPBELL.

H.R. 521: Ms. LOFGREN.

H.R. 614: Mr. WHITFIELD.

H.R. 623: Mr. BARR of Georgia and Mr. RILEY.

H.R. 673: Mr. FOLEY and Mr. HASTINGS of Florida.

H.R. 690: Mr. HALL of Texas.

H.R. 721: Mr. BOUCHER.

H.R. 728: Mr. WHITFIELD, Mr. MORAN of Kansas, Mr. GONZALEZ, and Mr. SCHAFFER.

H.R. 749: Mr. GARY MILLER of California.

H.R. 750: Mr. NUSSLE, Mr. WELDON of Florida, and Mr. POMBO.

H.R. 762: Mrs. JONES of Ohio, Mr. RAHALL, Ms. WATERS, Mr. DIAZ-BALART, Mrs. CHRISTENSEN, Ms. RIVERS, Ms. BROWN of Florida, Ms. ROYBAL-ALLARD, Mr. LIPINSKI, Mr. MENENDEZ, Mr. HASTINGS of Florida, Mr. NEAL of Massachusetts, Mr. FALEOMAVAEGA, Mr. HILLIARD, Mr. RUSH, Mr. BOEHLERT, Mr. WATT of North Carolina, Mrs. KELLY, Mr. PRICE of North Carolina, Mr. DEUTSCH, Mr. ETHERIDGE, Mr. HINCHEY, Mr. JEFFERSON, Mr. GRAHAM, Mr. MOLLOHAN, Mr. MATSUI, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Mr. WEINER, Ms. MCKINNEY, Mr. CUMMINGS, Mr. BORSKI, Mr. ENGLISH, Mr. VENTO, Mr. ANDREWS, Mr. LANTOS, Mr. OBERSTAR, Ms. WOOLSEY, and Mr. JACKSON of Illinois.

H.R. 765: Mr. TURNER, Mr. MOORE, Mr. PASTOR, Mrs. CHENOWETH, and Mr. MORAN of Kansas.

H.R. 776: Mr. PASTOR.

H.R. 777: Mr. RUSH and Mr. KUCINICH.

H.R. 783: Mr. ALLEN, Mr. SCHAFFER, Mr. WOLF, Mr. GEORGE MILLER of California, Mr. WELDON of Florida, Mr. GOODE, Mr. DEFAZIO, and Ms. SLAUGHTER.

H.R. 784: Mr. SISISKY, Mr. TAYLOR of Mississippi, Mr. SPRATT, Mr. PASTOR, Mr. HAYES, Mrs. THURMAN, Mr. HALL of Texas, Mr. STRICKLAND, Mr. SMITH of Washington, and Mr. ABERCROMBIE.

H.R. 796: Mr. RILEY, Mr. MALONEY of Connecticut, Mr. SHAW, Mr. TIAHRT, Mr. PITTS, Mr. PETRI, and Mr. WATTS of Oklahoma.

H.R. 803: Mr. THOMPSON of Mississippi.

H.R. 811: Mr. CUMMINGS, Ms. NORTON, and Mr. DOYLE.

H.R. 834: Mr. UDALL of Colorado and Mr. DUNCAN.

H.R. 842: Mr. SCHAFFER, Mr. DIAZ-BALART, Mr. CRAMER, Mr. ENGLISH, Mr. BARCIA, and Mr. FOLEY.

H.R. 845: Mr. WYNN, Mr. BALDACCI, and Mr. CAPUANO.

H.R. 860: Mr. LEWIS of Georgia, Mr. HALL of Texas, Mr. LANTOS, and Mr. LUCAS of Kentucky.

H.R. 875: Mr. CROWLEY and Mr. LANTOS.

H.R. 878: Mr. MANZULLO.

H.R. 879: Mrs. MINK of Hawaii and Mr. HILLIARD.

H.R. 895: Mr. MCDERMOTT.

H.R. 899: Mrs. ROUKEMA.

H.R. 912: Mr. CLAY.

H.R. 932: Ms. NORTON, Ms. PELOSI, Mr. BONIOR, and Mr. GONZALEZ.

H.R. 942: Mr. DOYLE.

H.R. 958: Mr. LANTOS.

H.R. 959: Mr. NEAL of Massachusetts, Mr. LANTOS, Mr. CUMMINGS, Mr. KUCINICH, Mr. DIXON, Mr. WAXMAN, Mr. DOYLE, Mr. BALDACCI, and Mr. ROMERO-BARCELO.

H.R. 976: Mr. HINCHEY, Mr. KLINK, Mr. KILDEE, Mrs. THURMAN, Ms. ESHOO, Mr. CALVERT, Ms. DELAURO, Mr. GONZALEZ, Mr. BRADY of Pennsylvania, Mr. WEINER, Mr. WYNN, and Mr. BILBRAY.

H.R. 1032: Mr. CANNON, Mr. STENHOLM, Mr. RYAN of Wisconsin, Mr. TAYLOR of North Carolina, Mr. HASTINGS of Washington, Mr. WHITFIELD, Mr. CRANE, and Mr. EVERETT.

H.R. 1039: Mr. SAWYER, Mr. GEKAS, Mr. GREEN of Texas, and Mr. SALMON.

H.R. 1046: Mr. BONIOR and Mrs. THURMAN.

H.R. 1050: Ms. WATERS and Mr. TIERNEY.

H.R. 1054: Mr. RILEY, Mr. SHOWS, Mr. SCARBOROUGH, Mr. HOSTETTLER, Mr. BALLENGER, Mr. BARTLETT of Maryland, and Mrs. MYRICK.

H.R. 1063: Mr. MARTINEZ, Mr. FARR of California, Ms. WOOLSEY, Ms. WATERS, and Mr. PASTOR.

H.R. 1070: Mr. TIERNEY, Mr. BENTSEN, Mr. WHITFIELD, Mr. WOLF, Mr. JACKSON of Illinois, Ms. KAPTUR, Ms. MCKINNEY, Mr. CONDIT, Ms. RIVERS, Ms. WATERS, and Ms. KILPATRICK.

H.R. 1079: Mr. STUPAK, Mr. VENTO, and Mr. DOYLE.

H.R. 1082: Mr. VENTO, Ms. ESHOO, Mr. STUPAK, and Mrs. JONES of Ohio.

H.R. 1095: Mr. MCNULTY, Mrs. MORELLA, and Ms. LEE.

H.R. 1109: Mr. HILLIARD and Mrs. JONES of Ohio.

H.R. 1129: Mr. GREEN of Texas, Ms. BROWN of Florida, and Mr. GONZALEZ.

H.R. 1130: Mr. FRANK of Massachusetts and Mr. EVANS.

H.R. 1144: Mr. EVERETT.

H.R. 1180: Mr. BALDACCI, Mr. BLUMENAUER, Mr. LUTHER, Mr. LARSON, Mr. DICKS, Mr. WHITFIELD, Mr. SAWYER, Ms. RIVERS, Mrs. MEEK of Florida, Mr. HILLIARD, Mr. BASS, Mr. NEY, Mr. WEINER, Mr. EVANS, Mr. BAIRD, and Mr. DEAL of Georgia.

H.R. 1193: Mr. WELLER, Mr. MATSUI, Mr. CUNNINGHAM, Mr. PHELPS, Mr. HOUGHTON, Mrs. MINK of Hawaii, Mr. BEREUTER, and Mr. WHITFIELD.

H.R. 1203: Mr. SUNUNU.

H.R. 1219: Mr. TERRY.

H.R. 1224: Mr. COYNE and Ms. KAPTUR.

H.R. 1229: Mr. KILDEE.

H.R. 1248: Ms. BALDWIN, Mr. MOORE, Ms. PRYCE of Ohio, Mr. LEWIS of Georgia, Mr. BLUMENAUER, Mr. BENTSEN, Mr. FRELINGHUYSEN, and Mr. CUMMINGS.

H.R. 1250: Mr. WALSH.

H.R. 1253: Mr. WELLER.

H.R. 1275: Mr. BROWN of California, Mr. CAPUANO, Mr. HASTINGS of Florida, Mr. SESSIONS, Mr. COSTELLO, and Mr. MORAN of Virginia.

H.R. 1278: Mr. SHOWS, Mr. MALONEY of Connecticut, Mr. BEREUTER, Mr. METCALF, Mr. DOOLEY of California, and Mr. FROST.

H.R. 1295: Mr. SCHAFFER.

H.R. 1298: Ms. PELOSI, Mr. MATSUI, and Mr. FRANK of Massachusetts.

H.R. 1307: Mr. ENGLISH and Mr. KUYKENDALL.

H.R. 1320: Mr. DOOLEY of California, Mr. SMITH of Washington, Mr. GREEN of Texas, and Mr. KIND.

H.R. 1326: Mr. KUYKENDALL, Mr. UNDERWOOD, Mr. SHOWS, Mr. SAWYER, Mrs. MINK of Hawaii, Mr. ETHERIDGE, Mr. TRAFICANT, Mr. CUMMINGS, and Ms. BROWN of Florida.

H.R. 1328: Mr. GARY MILLER of California, Mr. NETHERCUTT, and Mr. UDALL of Colorado.

H.R. 1349: Mr. WHITFIELD and Mr. EVANS.

H.R. 1355: Ms. LEE, Mr. MATSUI, Mr. HINCHEY, Mr. MCNULTY, Ms. KILPATRICK, Mrs. TAUSCHER, Mr. MCDERMOTT, Mr. PASTOR, Mr. MEEHAN, Mr. BERMAN, Mr. WYNN, Mr. VENTO, and Ms. SCHAKOWSKY.

H.R. 1356: Mr. WOLF and Mr. FRANKS of New Jersey.

H.R. 1358: Mr. WELDON of Florida, Mr. BEREUTER, and Mr. BOEHLERT.

H.R. 1363: Mr. LAHOOD.

H.R. 1366: Mr. ROHRABACHER, Mr. WALSH, Mr. CRANE, Mr. SAXTON, Mr. BISHOP, Mr. YOUNG of Alaska, Mr. SENSENBRENNER, Mr. LEWIS of California, Mr. LAHOOD, Mr. TURNER, Mr. DUNCAN, Mr. STUMP, Mr. BURTON of Indiana, Mr. HILLEARY, Mr. MCCRERY, Mr. SHADEGG, and Mr. HILL of Montana.

H.R. 1368: Mr. HOSTETTLER, Mr. DEAL of Georgia, Mr. CANADY of Florida, Mrs. JOHNSON of Connecticut, Mr. YOUNG of Alaska, Mr. NEY, and Mr. SALMON.

H.R. 1395: Mr. DUNCAN and Mr. RADANOVICH.

H.R. 1458: Mrs. EMERSON.

H.J. Res. 21: Mr. NORWOOD.

H.J. Res. 41: Mr. GUTIERREZ, Mr. TIERNEY, Mr. KENNEDY of Rhode Island, Mrs. Biggert, Mr. WYNN, Ms. ROYBAL-ALLARD, and Mr. BROWN of California.

H.J. Res. 45: Mr. BURTON of Indiana.

H. Con. Res. 22: Mr. KNOLLENBERG.

H. Con. Res. 34: Mr. TIERNEY and Mr. BONIOR.

H. Con. Res. 39: Mr. TIAHRT.

H. Con. Res. 54: Mr. LUCAS OF KENTUCKY.

H. Con. Res. 78: Mr. BROWN of California, Mr. MCGOVERN, Ms. LEE, Mr. PRICE of North Carolina, Mr. WAXMAN, and Ms. BALDWIN.

H. Con. Res. 82: Mr. DOOLITTLE and Mr. TANCREDO.

H. Res. 41: Mr. CLEMENT, Mr. LARGENT, and Mr. SHAYS.

H. Res. 82: Ms. LEE and Ms. BALDWIN.

H. Res. 94: Mr. GREENWOOD and Mr. WHITFIELD.

H. Res. 106: Mr. TIAHRT.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, APRIL 20, 1999 No. 54

Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today the prayer will be offered by our guest Chaplain, Rev. Donald Mackay III, St. John's Episcopal Church, Kirkland, WA.

We are glad to have you with us.

PRAYER

The guest Chaplain, Rev. Donald Mackay III, of St. John's Episcopal Church, Kirkland, WA, offered the following prayer:

Almighty God, Sovereign Father of our Nation, we acknowledge Your presence in our lives on this day. We thank You for calling the men and women of the Senate to lead this Nation on the path of righteousness. As they carry out the mission that You have given them, we pray that their ears may be open to hear Your voice with clarity, discernment, and understanding.

You have revealed through the prophets of old what You require of those in positions of power and leadership. On this day, enable each Senator to hear with new awareness the challenge to ''do justice, and to love kindness, and to walk humbly with their God.''—Micah 6: 8b. As they consider issues relating to the military conflict in Yugoslavia, give them wisdom beyond their learning that their response to Your direction may be lived out in courage by words spoken, decisions made, and actions taken.

May their work this day—begun, continued, and ended in You—be anointed by Your gracious hand as You guide this Nation to its appointed destiny.

We ask these things in the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

Mr. CRAPO. I thank the Chair.

SCHEDULE

Mr. CRAPO. Mr. President, for the information of all Senators, under the order of last night, the Senate will be in a period of morning business until 11:30 a.m.

EXTENSION OF MORNING BUSINESS

I now ask unanimous consent that morning business be extended until 12:30 p.m. under the previous conditions.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CRAPO. Following morning business, the Senate will recess until 2:15 p.m. to accommodate the weekly party caucus luncheons. When the Senate reconvenes at 2:15, it will begin consideration of the budget reform legislation, with votes possible throughout the day on this bill or any other legislative or executive items cleared for action. This week we also expect to vote on the adoption of the education flexibility conference report.

I thank my colleagues for their attention.

The PRESIDENT pro tempore. The able Senator from Washington State is recognized.

GUEST CHAPLAIN DONALD MACKAY III

Mr. GORTON. Mr. President, I note with great pleasure the prayer this morning was given by Father Mackay, the rector of St. John's Episcopal Church in Kirkland, WA. That is the church I most frequently attend when I am in my home State, and I attend it because of his great qualities as a pastor and a leader of his congregation. The magnificent spiritual guidance he gives both individually and collectively to that congregation makes it one of the most satisfying and religiously exciting churches that it has ever been my privilege to attend during a relatively long life.

He is here, however, not by my invitation but at the invitation of my friend and colleague from Montana, Senator BURNS. Father Mackay hails from Montana. His brother, I believe, is State director for Senator BURNS, and it was his imagination and thoughtfulness that invited Don here today. I thank him. I thank our regular Chaplain, Lloyd Ogilvie, and I thank Father Mackay for a wonderful and inspiring prayer.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Montana.

Mr. BURNS. Mr. President, I join my friend from Washington in welcoming Father Mackay. His family has deep roots in the State of Montana. If you ever hear of the brands TopHat and LazyEL, those are famous brands in our State up in the Red Lodge country and Roscoe, MT. We have bumper stickers saying, ''Where in the world is Roscoe?''

I welcome Father Mackay. He comes from a family of folks who have donated resources and time to public service. He was also the pastor in Billings before going to Washington. We hated to lose him from the Billings community. But when you look at the family and his uncles and going back to his grandfather, they have a rich tradition and great American values.

Of course, I thank Dr. Ogilvie for allowing this privilege today and welcome Don to the Senate and to Washington, DC. I often call this 17 square miles of logic free environment, but knowing Father Mackay, he will have it all figured out by the end of the day. So welcome.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak for up to 10 minutes each. Under the previous order, the Senator from Arizona, Mr. MCCAIN, is recognized to speak for up to 15 minutes.

The Senator from Arizona.

(The remarks of Mr. MCCAIN, Mr. COCHRAN, Mr. BIDEN, Mr. LIEBERMAN, and Mr. HAGEL, pertaining to the introduction of S.J. Res. 20 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

PRIVILEGE OF THE FLOOR

Mr. BIDEN. Mr. President, I ask unanimous consent that the privilege of the floor be granted to an American Political Science Association fellow on the minority staff of the Foreign Relations Committee, David Auerswald, during the pendency of floor debate on Kosovo and the United States use of force when that occurs, and as often as that occurs, on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

KOSOVO

Mr. WELLSTONE. Mr. President, I actually came to the floor to speak about the crisis in agriculture and what is happening in the Midwest, but I want to respond to some of the comments my colleagues have made, although I will be doing this extemporaneously, and I will be thinking out loud, but I hope I will be thinking deeply.

Mr. President, I agree with my colleague from Nebraska, I agree with all my colleagues who have spoken on the floor about the importance of accountability. I remember previously coming to the floor before we took a recess where it looked as if we might be taking military action in Kosovo—it wasn't clear—and saying I thought we needed to have a full debate and I would support that military action.

I agree with my colleague about the history and how it will judge us. I saw what Milosevic did in Bosnia. I saw enough misery and refugee camps to last me a lifetime. And I certainly do not want to be in a position to have our country, and other countries, turn their gaze away from the systematic slaughter and massacre and murder of people and driving people out of their country, albeit, unfortunately, I think Milosevic, up to date, has been able to do much of that.

Here is where I just want to express a few concerns, although I think probably later on we will have the debate. This debate probably does not start today, but since I am on the floor I do want to raise a few concerns.

First of all, in the here and now, I think—and I will get a chance this afternoon to put some questions to Secretary Albright—as long as we are talking about stopping the slaughter and given the headlines and the stories in today's papers of Milosevic stopping people from being able to leave the country, we do need to think about these internally displaced refugees and how we can get some relief to them. I still, in my own mind, do not quite understand why we are not doing airlifting, why we are not getting supplies to them. I think it is a difficult question, it could be loss of life. But, again, I say to my colleagues, I want to press very hard on the question of whether or not we should be airlifting some humanitarian relief to people who are obviously going to starve to death otherwise. I am trying to understand why we are not doing that now.

Secondly, in the prosecution of this war, I voted that we conduct the airstrikes. I was hoping we would be able to do much more by way of stopping this slaughter, but I raise the question of why we are not conducting more of the airstrikes in Kosovo. I say this to my colleagues on the floor. I really believe that. And I worry about this. I have to say it on the floor of the Senate. Pretty soon we run out of targets in Serbia. And to the extent that we run out of targets and continue with an expanded air war, there are going to be innocent people who will die, which is very difficult for me.

I think we get to a point where we don't want to undercut the moral claim of what we are doing. I believe we are trying to do the right thing, but I do not understand why we are not prosecuting more of this air war and more of these airstrikes in Kosovo. We are talking about what we need to do now. I do not understand all of the decisionmaking, but I guess in my own mind, I want to press on that question, because it seems to me there is a direct correlation between our being able to do that and whether or not other means will be necessary, as I look at this resolution, and, moreover, whether it doesn't make far more sense to do that. Again, I know there are risks involved, but at the same time I worry about the sort of airstrikes focused on Belgrade and other cities as opposed to Kosovo.

Finally, I say today that I would prefer to hear more discussion. My colleague from Nebraska—you don't know people well, but you just have a feeling about them—is somebody I really like and respect. That is just all there is to it, period. Everything he says I take as being said in the very best of good faith, very much a part of good faith, with complete sincerity and conviction and knowledge.

I would like to hear in this Chamber more discussion about diplomacy, about where it fits in. I think it is far more important than has been discussed today that we really ask the Russians to be a part of a diplomatic solution. I know we are talking to them about being part, eventually, of some kind of peacekeeping force. I think, by the way, it will not just be a NATO force. I heard my colleagues list that as an objective. I do not think that is going to happen. I don't think it will be a NATO force; I think it will be a very different peacekeeping force.

More than just asking the Russians what they will be a part of, I believe the Russians are in a key position to help forge a diplomatic solution as an alternative to an ever expanding war, consistent with what I believe should be our objectives which are stopping this slaughter of people and people having a chance to go back to their country. I want to see the emphasis on the military action we are taking but also on the diplomatic front. I do not hear that today and it concerns me.

I say to my colleagues that when I see language which talks about ''to use all necessary force and other means,'' it just sounds too broad and too open-ended to me, as a Senator. I am skeptical of such language. There are many answers to many questions that I will pose in debate and discussion. There are many questions I have about this today. I have expressed some of my reservations about this resolution, and I do believe we should have Senator HAGEL in the discussion and the debate that is called for. I think it is important. Otherwise, I think we do abdicate our responsibility, whatever decisions we arrive at. I commend the Senator for it, but I have expressed some of my reservations.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Angad Bhalla, who is an intern in my office, be granted the privilege of the floor today during debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURE CONCERNS

Mr. WELLSTONE. Mr. President, we had a gathering in the State of Minnesota on Sunday afternoon. It started about 1 p.m. Joel Klein, who heads the Antitrust Division of the Justice Department, was gracious enough to come. Mike Dunn, who is Assistant Secretary for Agriculture, was gracious enough to come. This will just be 5 minutes' worth, because I am going to be calling on colleagues, especially

from the Midwest and the West, to start coming to the floor every day and talking about what is happening to farmers and what is happening in agriculture. We have to speak out, and we have to turn the pressure up for action.

During spring planting season, Sunday afternoon—I think the Chair knows this as well as I do—to have somewhere around 800 farmers come was unbelievable. It was an unbelievable turnout of farmers. And there is a very clear reason why. Many of them from Minnesota, but a huge delegation from Missouri, South Dakota, North Dakota, Illinois, Iowa, Kansas, Nebraska, Wisconsin, Colorado, these farmers came because they are confronted with the fierce urgency of now. They came because time is not neutral for them, time rushes on, and they can work 20 hours a day—and they do—and they can be the best managers in the world, and they cannot survive.

There was a focus to this gathering, and it was basically about the whole problem of conglomerates having muscled their way to the dinner table to the point where there isn't the kind of competition we need. There was a call for antitrust action. What farmers were saying was: These conglomerates have muscled their way to the dinner table and they have exercised their raw economic and political power over us as producers and over consumers and over taxpayers. You have our grain farmers going under, record low prices. Then a headline in the Star Tribune on Saturday: ''Cargill profits from decline in farm prices, 53 percent jump in earnings expected''—how hog farmers are going under and yet the packers are in hog heaven. Everywhere the farmers look, they have a few large firms, whether it be dairy, whether it be livestock producers, whether it be grain farmers, a few large firms that dominate well over 50 percent of the market. What the farmers were calling for was strong antitrust action.

Joel Klein was honest. He said: I wouldn't be here if I didn't take this seriously, and you will have to judge me by my deeds. I so appreciated his coming out. There was a lot of pressure on Mike Dunn and USDA and Secretary Glickman to do more by way of antitrust action.

It was much appreciated. But I say, Mr. President, that the farmers, with considerable justification, want to put some free enterprise back into the food industry. Farmers, with considerable justification, see a direct correlation between monopoly power and a few large, giant firms that are making record profits while they go under. They want to see antitrust action. All they are asking for is a competitive market. By golly, government ought to be on their side. We ought to be seeing stronger antitrust action.

The other thing I have to say—we have one bill, S. 19, on which Senator DASCHLE is taking the lead, which talks about full public disclosure of pricing, which is so important to livestock producers—we ought to know what these packers are paying our livestock producers; we ought to have public disclosure on pricing. In addition, we ought to deal with the monopoly power and have some antitrust action taken so farmers have a chance to compete.

I have to say to colleagues, yes, it is crop insurance reform that we are talking about. But the other thing we are going to have to do is revisit this Freedom to Farm, which I have always called the ''freedom to fail'' bill. I don't even want to point the finger. We can talk about what works with Freedom to Farm, but it seems to me that here the evidence is crystal clear that one thing has happened for sure—there is absolutely no stability anymore when it comes to farm income. And while the large conglomerates with huge amounts of capital can weather these mad fluctuations in price, our family farmers can't. They aren't getting anywhere near the cost of production. We have to focus on how we can get the price up and have some farm income for family farmers, and how we can take on some of these conglomerates so family farmers have a fair shake by way of getting a decent price.

As a Senator from the Midwest where we still have a family farm structure in agriculture that we are trying to hold on to, it is so important for our rural communities, so important for family farmers, so important for safe, affordable food for consumers, so important for the environment. This is a historic struggle.

I hope Senators from the farm states will be coming to the floor every day to speak out about this until we have some strong action that will be on behalf of family farmers. They need the support. They deserve the support. And the Senate and the Congress ought to be taking action.

I yield the floor. I thank my colleague.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FISHERMEN'S BANKRUPTCY PROTECTION ACT

Ms. COLLINS. Mr. President, recently I introduced S. 684, the Fishermen's Bankruptcy Protection Act, a bill to provide family fishermen with the same protections and terms as those granted family farmers under Chapter 12 of our bankruptcy laws. I would like to take this opportunity to explain this legislation to my colleagues in anticipation of the Senate's upcoming debate on bankruptcy legislation.

Like many Americans, I'm appalled by those who live beyond their means, and use the bankruptcy code as a tool to cure their self-induced financial ills. I have supported and will continue to support reasonable reforms to the bankruptcy code that ensure the responsible use of its provisions. All consumers bear the burden of irresponsible debtors who abuse the system. Therefore, I believe bankruptcy should remain a tool of last resort for those in severe financial distress.

As those familiar with the bankruptcy code know, however, business reorganization in bankruptcy is a different creature than the forgiveness of debt traditionally associated with bankruptcy. Reorganization embodies the hope that by providing a business some relief, and allowing debt to be adjusted, the business will have an opportunity to get back on sound financial footing and thrive. In that vein, Chapter 12 was added to the bankruptcy code in 1986 by the Senator from Iowa, Mr. GRASSLEY, to provide for bankruptcy reorganization of the family farm and to give family farmers a fighting chance to reorganize their debts and keep their land.

To provide the fighting chance envisioned by the authors of Chapter 12, Congress provided a distinctive set of rules to govern effective reorganization of the family farm. In essence, Chapter 12 was a recognition of the unique situation of family-owned businesses and the enormous value of the family farmer to the American economy and to our cultural heritage.

Chapter 12 was modeled on bankruptcy Chapter 13 which governs the reorganization of individual debt. However, to address the unique problems encountered by farmers, Chapter 12 provided for significant advantages over the standard Chapter 13 filer. These advantages include a longer period of time to file a plan for relief, greater flexibility for the debtor to modify the debts secured by their assets, and the alteration of the statutory time limit to repay secured debts. The Chapter 12 debtor is also given the freedom to sell off parts of his or her property as part of a reorganization plan.

Unlike Chapter 13 which applies solely to individuals, Chapter 12 can apply to individuals, partnerships or corporations which fall under a $1.5 million debt threshold—a recognition of the common use of incorporation even among small family-held farms.

Chapter 12 has been an enormous success in the farm community. According to a recent University of Iowa study, 74 percent of family farmers who filed Chapter 12 bankruptcy are still farming, and 61 percent of farmers who went through Chapter 12 believe the law was helpful in getting them back on their feet.

Recognizing its effectiveness, my bill proposes that Chapter 12 should be made a permanent part of the bankruptcy code, and equally important, my legislation would extend Chapter 12's protections to family fishermen.

In my own state of Maine, fishing is a vital part of our economy and our way of life. The commercial fishing industry is made up of proud and fiercely independent individuals whose goal is simply to preserve their business, family income, and community. My legislation would afford fishermen the same protection of business reorganization as is provided to family farmers.

There are many similarities between the family farmer and the family fisherman. Like the family farmer, the fisherman should not only be valued as a businessman, but also for his or her contributions to our way of life and our economy. Like farmers, fishermen face perennial threats from nature and the elements, as well as laws and regulations which unfortunately threaten their existence. Like family farmers, fishermen are not seeking special treatment or a hand-out from the federal government, they seek only the fighting chance to remain afloat so that they can continue in their way of life.

Although fishermen do not seek any special treatment from the government, they play a special role in seafaring communities on our coasts, and they deserve protections granted others who face similar, often unavoidable, problems. Fishermen should not be denied the bankruptcy protections accorded to farmers solely because they harvest the sea and not the land.

I have proposed not only to make Chapter 12 a permanent part of the bankruptcy code, but also to apply its provisions to the family fisherman. The bill I have proposed mirrors Chapter 12 with very few exceptions. Its protections are restricted to those fishermen with regular income who have total debt less than $1.5 million, the bulk of which, eighty percent, must stem from commercial fishing. Moreover, families must rely on fishing income for these provisions to apply.

These same protections and flexibility we grant to farmers should also be granted to the family fisherman. By making this modest but important change to the bankruptcy laws, we will express our respect for the business of fishing, and our shared wish that this unique way of life—that embodies the state of Maine—should continue.

Thank you, Mr. President. I yield the floor.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:31 p.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 Chair, acting as a Senator from the State of Oklahoma, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be able to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

KOSOVO POLICY

Mrs. HUTCHISON. Mr. President, I want to speak to a resolution that has been introduced this morning regarding Congress taking an action about our troops in Kosovo and the whole escalation of the operation in Kosovo. The text of the resolution is that we would give the President all of the authority to use whatever force, take whatever steps he sees as necessary.

I certainly think we should have a debate on this whole issue of Kosovo. I think it is certainly something that Congress is going to need to weigh in on. But I think it would be vastly premature to take an action before the President has laid out a plan. The President has not asked us for ''all force.'' The President has not asked us, actually, for anything except funding on an emergency basis to make sure we have the ability to fund the operation that is going on in Yugoslavia without taking away from other national security interests. I am going to support the President in that request. The last thing I want to do is have our troops in harm's way, along with our allies', and run out of money or run out of equipment or have any of our national defense personnel anywhere else in the world be shortchanged. We are not going to let that happen.

When the President gives us the specificity that is required for the appropriation, I think there will be a resounding vote in Congress to give our troops and our military the leeway they need to spend the money to have the equipment they need to do this job. But I cannot imagine having a carte blanche given to an operation that clearly is escalating a mission and we have not seen a plan. We have not seen a plan. We have not seen a timetable. We have not seen a cost estimate for the long term. So I hope we will take a step back here, and rather than voting on the resolution that was put forward today we would be talking among ourselves, that we will be debating at whatever point is the right one, and that we would be having op-eds in newspapers, which I think certainly have added to the body of opinion on this issue. But Congress should not micromanage this war. The President should come to us and say what he needs, what he is going to do with the money, what kind of plan we have, what kind of troop commitment are we talking about, what is it going to do to the rest of our national defense operation. We need to have a full plan.

One of the things that has concerned so many of us is that perhaps we started an operation before we had a contingency plan. Perhaps we started the operation before we knew what we would need for the long term, before we knew the goal. I think the mission has actually changed several times.

We obviously have had a different result from this operation than we had hoped. There is no question about that. Whether this is a success is yet to be determined, and I do not think we should be jumping in, saying it has not been a success. But I think it is time for us to let the President take the lead, to let him come to us with his requests. He is the one who is supposed to be executing this operation. I do think it would be a mistake for Congress to put the cart before the horse. I do not think we should micromanage. I do not think we should tell the President what to do. I do not think we should put our opinions on top of his. And most certainly, when I hear our NATO allies saying they would not consider ground troops, the last thing I think we should do is encourage ground troops. I think the case has not been made, the base has not been laid, and our allies are not in support.

So I think we need to take a step back. We need to be getting the administration to give us briefings at every point, asking our opinions. Let's debate this, let's talk about what kind of commitment we want to make. But I will not vote for troops on the ground in this operation as a carte blanche, a blank check, before I know what we are going to do. What will our responsibility be? What will our allies' contribution be? What is the timetable? What is the mission? Is it achievable, and what is it going to cost? And what is it going to do to the rest of our national defense?

These are questions that must be asked. We must get answers. We must have a full briefing. For Congress to have a vote before we have all of that would be irresponsible.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

KOSOVO

Mr. GREGG. Mr. President, I will address what is obviously the issue most pressing on us as a nation and certainly on the Western World. That is, of course, the issue of Kosovo and the war that is being pursued there.

First, I think it is important to understand that we as a nation are obviously the sole major superpower in the world and that we have, as a nation, a significant obligation to use our strength in order to promote the betterment of the world and to promote interests around the world which assist our national policy. We should not disengage from the world, we should not be isolationist—just the opposite; we have an obligation to reach out and use our great wealth and our great good luck and our great good fortune to benefit as many people around the world as we can.

But I think we must also be sensitive to the fact that we can't be everywhere all the time and that when we ask American troops, men and women, to put their lives on the line, we have to be very specific as to why we are doing it and what the purpose of that effort is, because that, of course, is the most extreme request we can place on any American.

We should have a process of putting forward a plan, a test, if you will accept it, as to why we engage with American force. I have always felt that test should have three elements. I have spoken about it before.

The first is, is there a definable American interest? In many instances this could be international interests which impact us significantly, such as the gulf war, where European oil was at risk. But is there a definable American interest which is specific enough and which can be justified and which can be explained, quite honestly, in these terms: If an American service person loses his or her life, could you go to the parent of that person, could you go to the wife of that person, could you go to the child of that person, and tell them why the loss of their life was important to America? Could you explain our purpose in terms that would satisfy a grieving parent, wife, or child that their son or daughter had died in a cause which assisted America? That is the first and most important test.

The second test is, is the engagement of American troops going to be able to resolve the situation, or is the situation so complex, so convoluted, and so historically intertwined that it probably can never be resolved or never even be, for any extended period, pacified?

The third is, is there a plan for getting out? Before you get into something, you ought to know how you are going to get out of it or at least have some concept of how you are going to get out of it. That is absolutely critical.

Those are the tests for our engagement.

We are now engaged in a war in Kosovo. Unfortunately, in my opinion, none of those tests was met before we made the decision to go forward. This administration could not explain, and has certainly not explained very well, why we decided to step off on this route of military action.

The initial statement was that we were doing it in order to bring Milosevic into negotiations, in order to bring the Yugoslav Government into negotiations to try to settle the situation in Kosovo, because a number of people had been killed in Kosovo, hundreds maybe, although the number that had actually been reported was somewhat less than that, and because we were concerned that there would be a great dislocation of population in the Kosovo—or the administration was concerned that there would be a great dislocation of population in the Kosovo province of Serbia if we did not take action to try to force Milosevic to agree to the settlement as had been outlined at Rambouillet.

That was the initial purpose of the use of air power against Serbia, and against Yugoslavia, or Yugoslavia and Kosovo and Serbia. The purpose, therefore, was never to go in to occupy and to win a war against Yugoslavia. That was never the original purpose as presented by this administration.

One has to wonder, what was our national interest in that region in Kosovo? A legitimate case could be made that humanitarian interests are a national interest. But actually what was happening in Kosovo, although severe and brutal and being shown on TV, was nothing—absolutely nothing—compared to what was happening in Ethiopia, Somalia, Sudan, Sri Lanka, and a number of former republics, in fact, of the former Soviet Union, where literally millions of people died in Africa as a result of internal civil war.

Remember, this was a civil war situation. Kosovo was a province of Yugoslavia, which was an independent state, and is an independent state.

So there is the issue of humanitarian interests, although they hardly raised it to the level that justified use of American force when we weren't using American force to settle matters in Ethiopia, in Somalia, in Sudan, in Sri Lanka, or Azerbaijan, or Georgia.

So you had to ask, what was in the national interest? Quite honestly, prior to this process—this is all prior to the actual air campaign—I never believed, and I don't think the President ever made clear, because he really couldn't, that there was a dramatic American national interest in Kosovo. In fact, the irony of this situation is that NATO is now using all its force against a region—Albania and Kosovo—and claiming that that region is strategically important, when throughout the cold war when NATO was at its peak—at its absolute peak—of deterrence and purpose, when it had specific purpose, which was to deter East European and Soviet aggression in Albania, which was behind the Iron Curtain, which was an Eastern European country, it was never even considered a factor of threat. Other nations were—East Germany, Poland, Czechoslovakia, Hungary, and Russia, Soviet Russia—during the cold war.

But Albania was never a factor, because it was such a poor and desperate nation; it had no strategic impact at all. But suddenly it becomes a nation of strategic impact to us. Suddenly Kosovo, a subprovince of Yugoslavia, becomes a nation of strategic impact to us. It is hardly explainable to the American people. It must be found against other strategic events which precipitated the bombing. And what impact do those have? And what is the significance? I think the answer to that is yes, the unintended consequence of this bombing is that we have created significant strategic and national concerns which weren't there before we started the bombing but are certainly there now.

Let's name three of them.

First, of course, is the humanitarian issue. The huge number of refugees, to whom our heart goes out, and to whom we obviously have some responsibility for carrying forward—and I will get back to that in a second—clearly we now have a strategic and national concern about doing something to care for those refugees. That should have been anticipated before we started the bombing. But it obviously was not by this administration. So we created an event there.

The second event, which is maybe even more significant, which absolutely is more significant, was an unintended consequence which this administration clearly didn't expect and can't even represent that it marginally expected, and which has occurred; that is, that we have managed, through this bombing activity and this military action of NATO against the Kosovo region, potentially to be expanded to a greater Serbia—we have managed to dramatically undermine and, in my opinion, destabilize the process of evolution towards democracy in Russia, and certainly the process that Russia was moving towards engaging with the Western nations in a constructive way, including being a partner for peace ancillary to NATO. We have as an unintended consequence managed to invigorate the nationalist spirit within the political system of Russia, which was already under great strain, and a fledgling democracy which is absolutely critical to the future peace of this world and to the prospective activities of us as a nation as we move into the next century. A democracy in which we had invested a great deal has been placed at some jeopardy as to its relationship with us in the West, and we

have clearly undermined much of the goodwill that we built in Russia.

Unfortunately, it could get worse, significantly worse. If we were to pursue a course of invasion of Yugoslavia, it would put Russia in an almost untenable position because of the relationship which has gone back for hundreds of years where the Russians consider the Slavic people and the Serbian people to be their brothers. An invasion would clearly make it very difficult for the forces of moderation and reason within Russian society to overcome the forces of nationalism and jingoism. Even worse than that, were we to declare war—which has been proposed by some, because we are at war, but if we were to formally declare war, we would even see a more difficult position placed on the Russian moderates and voices of reason.

Let me say this: Our relationship to Russia, our ability to nurture and build that nation as a democracy and a capitalist-oriented, marketplace-oriented society is exponentially more important than what happens in the Balkans. The Balkans are important to Europe. Russia is important to the United States.

So that unintended consequence has occurred. We have started the destabilization of our relationship with Russia, and we have dramatically encouraged the forces of nationalism.

The third unintended consequence which this administration has created by its actions in Kosovo is that we have dramatically weakened our military capability to fulfill our legitimate obligations in many places around the globe.

As a result of this administration's continuous reduction in defense activity and its basic antipathy towards the Defense Department for the first 4 to 5 years of this Presidency, we no longer have the capability to fight effectively in an extensive engagement on two fronts, as was our traditional approach to our military defense. And we know—now publicly reported—that our ordnances are being drawn down and our capacity to support our men and women in military action is at risk. That is a consequence of this event and could lead to serious ramifications, which I have no desire to go into but which are logical.

So that is one of the reasons I have called this undertaking by our administration to be one of the—probably the most significant—blunders of the post-world-war period, because we have created a huge refugee population in large part, in good part—obviously not entirely—because Milosevic is a thug—because of the function of our bombing.

We have undermined our relationship with Russia and we have degraded our own military capability, all in the name of intervening in a region of the world where our interests were there, obviously, because we are a humanitarian nation concerned about humanitarian needs, but in relationship to other points around the world, whether it be African genocide that is occurring today at a rate—well, it wasn't until the refugee situation anyway—at a rate dramatically greater than what was occurring in Kosovo, or whether it be in our strategic relationship with areas such as North Korea or Iraq, where we have dramatic national interests. Our interests in this part of the world were limited, yet we have rolled the dice there at a level that is extraordinary.

So what do we do now? That is of course the question. We have been drawn into this action, and almost on the back of an envelope, it seems. You have watched the administration's different justifications for being there. And they change with the regularity of the weather, it seems, in that part of the world. There is no consistency to their position. One day it is that we are there to help the Kosovars have some form of autonomy within the Yugoslavian system and to avoid refugees.

And then there is a huge refugee event, in part because of our—in part, I say, only in part—because of our bombing. And now it is no longer that we are there in order to maintain autonomy. We appear to be moving there, being there, for purposes of obtaining independence, or some greater autonomy than certainly a state relationship, and it is to put the refugees back in a region which has been decimated.

The target moves constantly. It is one day that we are trying to bring Milosevic into negotiations. It is another day that we are trying to replace the Milosevic regime. And, of course, we don't even know what it would be replaced with.

So it is a policy that has gone arbitrary and, in my opinion, on the back of an envelope process without any definitive purpose that can be subscribed to in a way that we can be assured we can get there in any course or pattern.

So what do we do now?

One other point that should be made is the cost. One hates to talk about costs when American troops are at risk. Clearly, we will do whatever we need in this Congress to support those troops with whatever dollars are appropriate and whatever dollars we can put towards their efforts. But the fact is, the cost of this is going to be astronomical. This $6 billion request from this White House, which is such an understated and inaccurate figure—it is frustrating to deal with a White House that won't be forthcoming with the American people on this issue, which it has been, clearly, on others.

But clearly, on this issue, that cost nowhere near reflects what it will cost in the long run to pursue this policy that they have undertaken, simply because we are going to have to replace all of the ordnance they have used, for one thing, which is accounted for. And, No. 2, we are going to have to rebuild what we have blown up in order to put the refugees back, if it is the purpose of this administration to put the refugees back. Obviously, you can't put them back without housing, without electricity, without water, and without jobs. So the potential of reconstruction costs exceeds the military costs probably by a factor of 2, 3, or 4.

The absurdity of this administration coming to us and claiming that $6 billion will get them through the rest of the year just from the standpoint of executing this war is, on the face of it, something the American people should question seriously. So the cost is dramatic.

So what should we do? I don't know the answer. If I had the answer, obviously it would be wonderful. But I don't. But let me suggest a couple of options.

No. 1, we have the responsibility to the refugees. We have a responsibility to make sure they are adequately housed and fed. I think that is going to mean getting them out of where they are today. We cannot let them sit there as chips at the bargaining table for months, or years, as the Palestinians were left in limbo. Rather, we are going to have to move them someplace where they can survive the winter and where possibly they can be resettled. It may be political asylum for them in many parts of Europe or in the United States, but there has to be a thoughtful, long-range plan for how you handle these refugees.

Second, it is going to cost a lot of money, and we are going to have to spend it. Instead of pushing Russia to the brink, instead of engaging Russia in a way that basically undermines the moderate and reasoned forces and accelerates and raises the nationalist forces, let's engage Russia in a constructive way. Let's use the German proposals. Let's use their support and use our contacts with Russia, which has the contact with Serbia, in order to try to negotiate a resolution of this, a resolution which would probably involve some sort of multifinanced force, not NATO related, in the Kosovo region. But, rather than pushing Russia away, let us try to draw them in and let us not put ground troops into this region. How disastrous would that be. This is an area of the world where the people fight, where they believe. We have taken a nation which was a little bit fractured, actually, Yugoslavia, greater Serbia, and united those people. And they will fight.

Unless we go in there in a noncombative way, there will be a significant loss of life. And again the question will have to be asked, for what cause? And I cannot answer that question. So I do not see it as being constructive to put ground forces into that region. To authorize this administration to have that flexibility, after this administration has so completely mismanaged the issue to begin with, is, to me, foolhardy. So this is a complex and difficult issue, but it is the issue of the time and we need to address it and that is why I have taken this time.

Mr. President, I make a point of order a quorum is not present.

Mr. DOMENICI. Mr. President, I wonder if I might ask the Senator a question?

The PRESIDING OFFICER. Does the Senator withhold his point of order?

Mr. GREGG. I yield solely for the purpose of a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I was here for most of your remarks. First I want to commend you. In my recollection of the discussions we had with those who were in the administration prior to this involvement, with reference to Russia, there was almost kind of a trite answer—don't worry, they will not do anything.

I want to ask you if there is not a serious problem coming about now. They are going to have elections next year. We have always wondered how long will it be before their nationalist temperaments come back to the surface and they move in the wrong direction politically. I wonder if you might speculate or reason with me about that.

My evaluation, based upon a number of people who have talked about Russia and an analysis that has been given to me, is that they are now so anti-American and so antiwest that they are apt to move in a rather concerted manner by large numbers of votes in a direction that is not moving toward a marketplace economy and democracy. Is that your concern also?

Mr. GREGG. I think the Senator from New Mexico, as usual, has hit the nail on the head. That is the most significant strategic concern we have on the issue of Kosovo, which is where does Russia end up? Do we end up forcing it down the road towards a nationalist state with maybe irresponsible leadership? Or do we continue it on the path of democracy and marketplace economy?

I think that ever since the end of the cold war period everyone has analyzed the Russian situation as being tentative. The biggest concern of everyone who has analyzed it is that they may go the course of a nationalist leader who might use the West as the purpose for uniting a militaristic response, a militaristic nation approach. That is the concern. The Senator's point is absolutely on target.

Our biggest strategic interest today is what happens with Russia.

Mr. DOMENICI. I thank the Senator.

Mr. GREGG. Mr. President, I make a point of order a quorum is not present.

Mr. DURBIN. Will the Senator withhold?

Mr. GREGG. Yes.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SITUATION IN KOSOVO

Mr. DURBIN. Mr. President, I commend my colleagues for the time they have taken on the floor to talk about the situation in Kosovo. I was privileged this last weekend to be selected to be part of the first leadership delegation to go to the Balkans. It was a joint House and Senate delegation involving Democrats and Republicans, and it was a whirlwind trip. We all came back exhausted, but I think each of us came back better informed about the situation.

I would like to speak to that a few moments, following up on the speech just given by my colleague.

Let me say at the outset that I am a product of the Vietnam era. I did not serve in the military nor in Vietnam, obviously, but I came to the conclusion, as a result of that experience, that war is the last resort; that there is no such thing as a military adventure. When military is involved, people die. It should be taken ever so seriously.

That has guided me through 17 years of service on Capitol Hill. I have not been quick to turn to the military or quick to pull the trigger. I have always looked for an alternative, a peaceful alternative. Yet, I believe we find ourselves in the Balkans in a situation where, frankly, there was no alternative but the use of force.

The Senator raised the question about what in the world is our national interest in Kosovo? Most Americans could not find it on a map. Why are we sending all this money and all of our troops, all of the resources of this country focused on Serbia? Why?

It is part of Europe. It is part of a continent where the United States has a special interest. And if there is any doubt about that special interest, merely tour the veterans cemeteries in Europe, because in World War I and World War II, our best and brightest in America put on their uniforms, picked up their guns and went to Europe to defend the stability and future of that continent.

We have an Atlantic alliance, not just because of a common ethnic heritage, but because we believe the synergy between the United States and Europe brings strength to the Atlantic, brings strength to both countries, both regions, and we have committed ourselves to that.

Today, as you look at the map of Europe, the investments we made in two World Wars and the cold war has paid off so well. We now have former Warsaw Pact nations, like Poland, like the Czech Republic and like Hungary, waiting in line and finally being accepted as part of the NATO alliance. They are part of our alliance. We won. We are bringing Europe together. Our leadership makes a difference.

But, yes, in one corner of Europe, a terrible thing has occurred over the last 12 years. A man by the name of Slobodan Milosevic has on four separate occasions started a war in this region of Europe. If you look at the nature of the war, you will find some harrowing language from this man.

Twelve years ago in Kosovo, he stood up to the Serbs and said, ''They will not beat you again,'' and heard this roar of approval. This man, who was a minor league Communist apparatchik, said, ''I have a rallying cry here. I can rally the Serbs in their hatred of other ethnic groups.'' If you think I am overstating the case, in 1989, he went to Kosovo, stood on a battlefield where a war had been fought in 1389 and the Serbs had lost to the Ottoman Turks, and announced his policy of ethnic cleansing. As a result of his policy, that region has been at war and in turmoil ever since.

For those who act surprised at Slobodan Milosevic, merely look at the history. For those who question why we are there, look at the history of the 20th century. We have said that Europe is important to the United States, and we have said something else: America does not go to war for territory or for treasure. We go to war for values. And the values at stake in this conflict are values that Americans can take at heart.

Some have said that President Clinton came up with Kosovo at the last minute. Yet, history tells us that as President George Bush left office, knowing what Milosevic was all about, he left a letter behind to President Clinton saying: Watch Kosovo. We have warned Milosevic—do not show your aggression toward the province of Kosovo. President George Bush knew that. President Clinton was forewarned. And he has tried, with limited success, to contain this man's barbarism.

Of course, they raise the question over whether or not we should have started the bombing in the Serbian area and in Kosovo. I voted for it. I voted for it because there was no alternative, none whatsoever.

Many people have questioned the strategy ever since—important questions, questions that should be answered. But at least we have the answer to one question. When the United States saw this ethnic cleansing, this genocide in Serbia, did we stand idly by and do nothing? The answer is no, and that is an important answer.

We decided to use the resources at our disposal to try to stop Milosevic from what he was doing. Of course, he is equally adept and should be recognized as a man of military means. He decided since he could not invade the neighboring nations of Albania and Macedonia with troops, he would overwhelm them with refugees.

Saturday, I spent the afternoon in a refugee camp in Macedonia, near Skopje, named Brazda. You read about it a lot. It is a camp that did not exist 2 weeks ago, and 32,000 people live there today in that camp. The day I came and the previous 2 days, 7,500 people had flooded into this camp from Kosovo. These are not the poorest of the poor dragging themselves in. These are teachers and businessmen. These are doctors and lawyers whose neighbors put on black ski masks and came to the door and said, ''Take everything

that you want in your arms and leave in 5 minutes; we're blowing up your house.'' You have heard it on television, but I heard it firsthand.

Standing in that camp and talking to those people, I asked a simple open-ended question: Why did you leave Kosovo? The stories came back the same time and time again. They did not leave for a crime or wrongdoing; they left because of who they were, and that is the nature of genocide and ''geno-suffering.''

Now, of course, they are trying to survive, and we are helping them. Thank God we are. NATO is building camps. The humanitarian relief from around the world is inspiring, and yet these people wait, wondering what their fate will be.

I came away from that experience understanding better the Holocaust, understanding what must have been in the minds of so many Jewish people at the end of World War II who said: We need Israel because we have nowhere to go. Everywhere we go, we have been persecuted, we have been killed. Now the Kosovar refugees ask the same question: Where shall we go?

Our policy is to allow them to return to Kosovo. That is where they want to be. That is where they should be. We have said to Mr. Milosevic: Here is what we are asking of you, demanding of you: Remove your troops from Kosovo, allow the refugees to return in safety with an international force to protect them, and then we will negotiate the political status.

I think that is sensible and humane.

May I say a word, too, about Russia. Yes, I am concerned about the reaction of Russia. It is important that Russia prosper and get stronger. We have helped in many ways and can do more, and I am sure we will. But Russia is a master of its own destiny, too. If it decides it is better to be an ally of Slobodan Milosevic than an ally of the United States, then, of course, it is a decision they can freely make and one with which they will have to live.

I hope they do not make that decision. I hope instead of arming Milosevic so he can shoot down American and NATO planes that they will decide they can play a more positive and constructive role; that Russia could be part of the brokerage of peace, lasting peace in the region; that Russia could provide some troops in an international peacekeeping force in Kosovo so that it will be more acceptable to the Serbian side. They can do that, and I hope that they will. But I think it is faulty logic to argue that we should restrain our foreign policy for fear that the Russians might react against it. Did we stop to ask the Russians whether we should bomb Saddam Hussein? I certainly hope not. We knew what our national interest was, and we proceeded with it.

We hope the Russians will be with us, but they certainly should not have a veto over our foreign policy.

Allow me, if you will, to speak for a moment about the state of our military. General Wes Clark, who is our commander in chief now of the NATO operations in Kosovo, is an extraordinary man. He was first in his class at West Point, a Rhodes scholar. He is articulate, dedicated, and patriotic. Thank God for him and people just like him who have dedicated their lives and service to our country.

He met with us at great length and answered literally every question we had to ask about this operation. Is he frustrated? Of course, he is. This is NATO's first war. America has fought wars before, but this is a war by committee with 19 nations gathering together to talk of strategy, and that is a frustration to any commander in chief. He understands our mission, and he is executing it professionally.

It troubles me to hear some of my friends on the other side of the aisle suggest that after 25 days of bombing in Serbia and Kosovo somehow or another the American military might has been decimated.

I sure did not see that, not at Aviano Air Base or Ramstein in Germany. I saw a strong military that needs our support. I do not believe it is in the weak condition that many of my colleagues are suggesting.

The President said we need $6 billion to make sure it continues to be strong. I hope we move on that quickly and we do not use this request by the administration as an excuse to get into a prolonged political debate about whether or not the military has been treated well over the last few years. Let us focus on the immediate needs: Supplying our troops and making certain they can defend themselves and successfully prosecute this mission.

Let me also say that the Senator concluded with three recommendations about refugees. I disagree with his conclusion that we move them to another place. They want to return to Kosovo. They should return to Kosovo. I agree with him in bringing Russia in for peace negotiations. And I certainly agree with his conclusion that we should not involve ground troops in this effort.

I say to those who are witnessing this event, the American people are now focusing more on it, as they should. My visit over the last 3 days, this last weekend, focused my attention on it as well. I am proud of what the United States is doing. I am proud of what NATO is doing and what it stands for. I believe we are standing for values that we have stood for for at least the 20th century, if not longer.

I believe we can succeed. But we cannot succeed when a television program like ''Nightline,'' 7 days into the war, has a program entitled ''The Kosovo Crisis: Still no end in sight.'' Seven days—7 days into the war they want it over with, and all the political pundits are coming on television on Sunday and saying, well, we must have lost that war. It is a good thing they were not around during the Battle of the Bulge. Who knows how that war might have ended? It is going to take patience and determination to bring this to a good conclusion. I hope Members of both political parties will join together to make that happen.

I will tell you, when there was a vote on the Persian Gulf war, President Bush came to Congress and asked for our approval. I voted against it. I did not think it was necessary. I thought we could achieve our goals without the use of the military. But I lost and the vote went against me; the military action was approved. Immediately after that vote, a resolution was introduced, and passed overwhelmingly on a bipartisan basis, that said the debate is behind us now, we are behind our men and women in uniform, and we will stay behind them to the end.

There will be plenty of time to debate this. History will be the judge of whether we did the right thing and did it in the right way. For the time being, let us, as a nation, let those of us, as elected officials in the Senate and the House, have the determination to stand behind this policy.

What are our options? Well, there are three. We can stand behind this policy of bombing, or we can leave, or we can send in ground troops. It is an easy choice for me. I am going to stand behind this policy, because the future of NATO is at stake, the future of Europe is at stake, and the values of the United States, that we have defended so long, are at stake as well.

Mr. President, I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BUNNING). Without objection, it is so ordered.

GUIDANCE FOR THE DESIGNATION OF EMERGENCIES AS A PART OF THE BUDGET PROCESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 557, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 557) to provide guidance for the designation of emergencies as part of the budget process.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 254

Mr. LOTT. Mr. President, on behalf of Senator ABRAHAM, Senator DOMENICI, and others, I send an amendment to the pending budget bill to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. ABRAHAM, for himself, and Mr. DOMENICI, proposes an amendment numbered 254.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. LOTT. I believe Senator ABRAHAM is ready now.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 255 TO AMENDMENT NO. 254

Mr. ABRAHAM. Mr. President, I send a second-degree amendment to the pending amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM], for himself, Mr. DOMENICI, Mr. ASHCROFT, Mr. LOTT, Mr. NICKLES, Mr. MCCAIN, Mr. FRIST, Mr. CRAPO, Ms. COLLINS and Mr. GRAMS, proposes an amendment numbered 255 to amendment No. 254.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. LOTT. Mr. President, I believe Senator LAUTENBERG or perhaps other Senators will be here momentarily and will wish to comment on this subject—perhaps even the Senator from South Carolina. I know Senator ABRAHAM is prepared to begin the discussion.

For years we have talked about how we can set aside Social Security to come up with a process so Social Security cannot be used to make the deficit look better or be spent for other programs or, for that matter, for tax cuts. A lot of thought has been given to this. Efforts have been made by Senators on both sides of the aisle. I think what we have this time is real. It will keep this money from being spent, without a supermajority vote in the Senate, for other than defense. It is a clear step in the right direction.

We need to be able to say to the American people that not one cent of Social Security is going to be able to be spent on anything but Social Security. This lockbox will make it a lot more difficult, although under emergency circumstances obviously that could still be pierced. The key, though, is to lock this money up, make sure it is not frittered away, and then see if we can come up with genuine long-term Social Security reform so this money can be used for that. If it is not, it will still be used, available to reduce the debt, and, over a period of years, that itself will be a significant benefit to the country, to the economy, to our seniors, and to the Social Security program.

So I commend Senator ABRAHAM for his persistence on this issue, and I think the best thing for us to do at this point is to get into a discussion about what we are trying to do here and see if we can get this process through. This is a change in the law; this is not just a budget process change. This is something the Senate would have to act on, the House would have to act on, and we would have to send it to the President.

So I think it is time, and appropriate, now, that we have this discussion about the future of Social Security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Mr. President, I thank the majority leader for giving us an opportunity to begin this debate. I realize we have a number of Members on various sides of this issue with different ideas. I think if we have a discussion here, perhaps we can identify some of the concerns and address them. I hope we can because I think this is a topic that needs to have our full attention.

Let me begin by saying I have just submitted an amendment here on behalf of myself as well as Senators DOMENICI, ASHCROFT, LOTT, NICKLES, MCCAIN, FRIST, CRAPO, COLLINS, and GRAMS. The amendment is the Social Security Preservation and Debt Reduction Act. It implements a sense-of-the-Senate resolution which we approved as part of the budget resolution just before our Easter recess.

As you know, that sense-of-the-Senate resolution passed this Chamber on March 24 by a vote of 99 to zero. It said simply that we ought to truly protect Social Security by seeing to it that moneys in the Social Security trust fund are only used to fix Social Security or to pay down the public debt, and for no other purpose.

We all agree that saving Social Security is our No. 1 priority in this Congress. That has been a discussion that virtually every Member at one time or another has been part of. The President, in both his 1998 and his 1999 State of the Union Addresses, said we should save every penny of the Social Security surplus. In this year's Address, he said we should use it to reduce the Federal debt so as to ensure it will not be squandered on other spending programs.

I agree with that. So do my cosponsors. Therefore, it is our hope, through this amendment we are offering today, to put into effect that which so many people, including the President, have sought to accomplish. If enacted into law, this amendment would save every penny of the Social Security surplus either to fix Social Security or to reduce the public debt.

Using hundreds of billions of dollars from the Social Security trust fund for new spending will not save Social Security. Indeed, the Congressional Budget Office now estimates that the President's own budget, the one he submitted to us in February, spends $158 billion of the Social Security surplus, 20 percent of the surplus that will be generated over the next 5 years. Fortunately, as you know, the Senate charted a different course. Through our sense-of-the-Senate resolution, 99 Senators stated our intention to lock up the Social Security trust fund to protect those dollars from being spent on other Government programs.

Let me recount what this resolution, which we passed as part of the budget, provided.

First, it provided we would place Social Security truly and fully off budget.

Second, we pledged to create a subcategory of the current gross Federal debt limit; namely, debt held by the public.

Third, we pledged to mandate the reduction of that publicly held debt level by an amount equal to the Social Security trust fund surplus.

In addition, the limits could be adjusted one time to accommodate substantive Social Security reform. In other words, unless we were using the Social Security trust fund surplus to fix Social Security, reform to modernize the Social Security system, then it would be used to reduce the current levels of Publicly held debt.

The amendment I am offering would implement those pledges. So let me briefly run down its provisions.

The Social Security Surplus Preservation and Debt Reduction Act reaffirms that Social Security is off budget. That means its assets should not be counted for purposes of the budget submitted by the President or the Congressional Budget Resolution. The legislation establishes a simple majority point of order against any budget that does not count Social Security moneys. This amendment also codifies the budget resolution language to establish a 60-vote Senate point of order against any budget resolution, budget amendment, or budget conference report that runs a deficit unless that deficit results solely from Social Security reform legislation.

Of critical importance is the amendment's provision establishing in law a declining limit on the amount of debt that could be held by the public. This limit would be reduced in the year 2000, in the year 2001, and at 2-year intervals thereafter through the year 2009, by an amount equal to the entire Social Security trust fund surplus for each corresponding time period. The amount would be measured as CBO's current annual projections of the Social Security surplus for these same years.

The 60-vote point of order would lie against any resolution or bill that would exceed the publicly held debt limits. In other words, we could not expand the publicly held debt unless we had 60 Members of this Chamber who would make such a decision.

However, these limits would be automatically adjusted for the cost of Social Security reform, as I have mentioned, and/or for any changes in the actual or projected Social Security trust fund surpluses.

Clearly, we are trying to read out the long period of time through this legislation, a 10-year period. So if, as we move through that period, the size of the Social Security trust fund surplus were to be readjusted or projected differently, then the legislation we are offering right now would provide the mechanism for making adjustments in that reduction of the publicly held debt accordingly.

A number of additional provisions would protect Social Security recipients from unforeseen events. First, specific language in the amendment states that the Secretary of the Treasury shall give priority to the payment of Social Security benefits required to be paid by law. This amendment guarantees that Social Security benefits will have the highest priority on all Federal moneys. We institute a concrete guarantee to seniors, and to those who one day will be seniors, that their benefits are truly backed up by the full faith and credit of the Government of the United States.

In addition, Mr. President, this amendment includes a provision that would set aside the public debt reductions in the case of recession. Whenever the Commerce Department reports two consecutive quarters of less than 1 percent growth, the limits would be set aside until there is one full quarter of more than 1 percent real growth. Once reestablished, the limit would restart 6 months later at the level of public debt held at the time of the recession's ending and then step back down at the rate projected by the newly determined Social Security surpluses.

Finally, this amendment includes an exception for emergencies such as the current crisis in Kosovo.

On March 17 of this year, Treasury Secretary Rubin sent a letter expressing several concerns about this approach. First, let me say that I was somewhat disappointed when he did so and surprised that he would raise the concerns about a bill that had not yet been written, let alone introduced. I appreciate the way Washington public policy debates work, Mr. President, and I understand the Secretary of the Treasury wanted to, at a very early stage, express concerns. What we have tried to do is respond to those concerns in such a fashion, I hope, that the way we have crafted the amendment will satisfy some of the issues raised in his correspondence. Let me talk about a few of those considerations at this time.

First, Secretary Rubin in his letter commented that fiscal restraint is best exercised through the tools of the budget process; debt limits should not be used as an additional means of imposing restraint. But the last 2 years have clearly shown that current budget rules are inadequate to curb Washington's spending habits.

Last year, the President threatened to shut down the Government unless we spent $21 billion of the Social Security surplus through various so-called ''emergency'' spending declarations. There was a lot of debate as to whether or not some of those provisions truly were appropriately described as emergencies. This year, as I noted, the President proposed spending $158 billion of the Social Security surplus on new spending programs over the next 5 years.

The budget rules, therefore, I do not believe are protecting the Social Security surplus, and it is not just the President who has proposed ideas and ways by which these Social Security surplus dollars can be spent. Members of Congress, on both sides of the aisle, have a lot of spending ideas, as we have heard.

In my judgment, the current budget rules do not protect these Social Security surplus dollars adequately. They are not designed for that purpose. Therefore, in my judgment, only by locking away the Social Security surplus and guaranteeing that the spenders cannot get ahold of it will we be able to protect those surplus dollars.

The fact of the matter is, if there is money available, people will find a way to spend it under the current rules. I think that is very simple and clear, and I think we should take additional steps to address it. I do not think we can count, as the Secretary has indicated, on the existing rules to suffice.

Next, Secretary Rubin has raised the specter of default saying:

> Even the appearance of a risk that the United States of America might not meet its obligations because of the absence of necessary debt authority would impose significant additional costs on American taxpayers.

Mr. President, we should keep in mind that we currently have a debt ceiling of $5.95 trillion. We live within a debt ceiling. We are not talking about creating something out of whole cloth here, a limit on the amount of indebtedness the American Government can assume. That is the law, and the Treasury cannot issue more debt than that.

Further, current gross Federal debt is about $5.48 trillion. It is not at the moment projected to rise significantly over the next 10 years. There is no specter of failure to meet our obligations here.

I will note, however, that the CBO estimated that the President's proposals in his budget would raise gross Federal debt to almost $8.4 trillion, almost $3.5 trillion over the current debt limit, exceeding the current debt limit by nearly 40 percent. Therefore, using the Secretary's logic, the President's budget will place us in immediate jeopardy of default because it will exceed the debt limits that we already have in place.

Our proposal, on the other hand, simply creates a sublimit of our current debt limit, one for debt held by the public. It does nothing to limit our ability to meet our obligations.

Nonetheless, we have tried to take Secretary Rubin's concerns seriously. What we have done to try to address those concerns—and I will elaborate on this a little bit further at a later point in these remarks—we have delayed the implementation of each year's new debt limit by 7 months to ensure that they become effective when the Treasury is most flush with cash. This will establish a buffer that is more than sufficient, in our judgment, to cover Treasury's short-term cash management needs, even during seasons of the year when cash deficits have historically appeared.

Third, Secretary Rubin has expressed concern that the publicly held debt limits ''could easily be inadequate for the Government to meet its obligations at a given point during the year. If the Treasury could not borrow or raise, it is possible that it could simply stop honoring any payment.'' And he even went on to say Social Security payments.

What he means by that, and it is related to the earlier point that I just addressed, is the fact that the revenue stream to the Government does not always coincide with the outflow of money during particular points in the year. That is why, as I have mentioned, we have altered our original proposal to move the date at which these publicly held debt ceiling changes would occur to a point—May 1—at which time, based on the past 10 years, the Government has been most flush, has had the largest inflow of money—obviously, it corresponds to some extent to tax payment day and other factors—for the exact purpose of making sure the changes would occur at a point when the Treasury would have the most cash on hand and the greatest flexibility with respect to any obligations, it would seem to me.

In addition, we have placed into this amendment a legal declaration that Social Security payments required by law have priority claims on the U.S. Treasury. In other words, we try to do two things here that I think address all of the concerns raised by Secretary Rubin.

First, we have changed the effective date as to when the debt limits would be changed to meet the maximum point of revenue stream to the Government, thus giving him and his successors total flexibility with respect to meeting obligations, and the guaranteed Social Security benefit checks will be paid by ensuring in the language of the amendment that they would receive top priority of expenditures.

In addition, we have responded to the Secretary's concern about short-term cash management swings, as I say, with a 7-month delay of implementation of the debt limits.

We are open to other ideas, but we are trying to be responsive to those

concerns that have been raised. That is our hope here, to try to address anything that might serve as an impediment to anyone concerning the support of this vitally needed legislation.

In addition, Secretary Rubin has worried that the proposed debt limits could run the risk of worsening an economic downturn. We take that to mean concerns that if a recession were occurring, we would be in a difficult position to adequately address it. Once again, we have taken into account those concerns, and we have placed in our amendment language, as I mentioned earlier, that would suspend the debt limits during times of recession and reinstate them only after we have recovered from such recession at the newly adjusted publicly held debt levels.

Finally, the Secretary expressed concern that the lockbox does not allow for emergencies. Let me first observe that this administration's use of the term ''emergency'' has been somewhat variable, and it would certainly be the view of this Senator, and I know others, that it has been used to characterize a number of expenditures that are hard pressed to be included under that definition, at least as I see it. We spent $21 billion of the Social Security surplus on an emergency package at the end of the last Congress that certainly had provisions which did not, in my judgment, meet the normal definition of that term.

However, considering that we now have a 60-vote point of order against any nondefense emergency spending provisions as part of the budget resolution that we passed, we have placed in this amendment language to automatically adjust upwards the publicly held debt limits for any emergency spending provisions. Thus, we once again address the concern that was raised.

Mr. President, I believe this meets, therefore, every one of the serious concerns expressed by the Treasury Secretary, while at the same time still meeting the central goal of protecting and preserving the Social Security trust fund surpluses. It successfully addresses the No. 1 issue of this Congress: Saving and strengthening Social Security.

While it may not constitute the long-term reform proposals that I know will be further debated as the Congress moves ahead, it protects the surpluses of the trust fund so they can be employed to make sure that we modernize the Social Security system in a way that not only guarantees today's beneficiaries are able to receive what they are entitled to, but also the future beneficiaries will as well. We owe it to those who have reached retirement age, as well as those who will one day join them, to do this.

As recent events have shown, the only way to do that is to take Social Security finally and fully off budget, because so long as Social Security trust fund surpluses can be accessed by spending priorities, they will be spent. In my judgment, it is that simple. It is simply too easy to point to good ideas and good programs and arguments of things that can be done with large amounts of the American people's money, too easy to see the benefits of Federal spending without looking at the cost to our financial stability and to those who depend on a sound Social Security system.

In my opinion, we must, in order to meet our obligations to the American people, see to it that every penny of the Social Security trust fund surplus is preserved for Social Security. And the only way to do that is to lock up those funds by using them to pay down the public debt. I think it is the right thing to do.

President Clinton himself has endorsed the idea at the root of this amendment. This Chamber recently voted unanimously for a resolution calling for legislation of this sort. So I hope we can get together, as colleagues, to take what would be the final step—this amendment—to place Social Security surpluses above the risks that they will be squandered and secure them for generations to come.

Mr. President, I am pleased, on behalf of a variety of colleagues, to offer this amendment. We look forward to the discussion. I hope that it can encompass not just a discussion of this proposal as offered, but if Members have ideas with respect to the lockbox, I hope they will share them with us, because I think protecting the Social Security surplus dollars is something that we have an obligation to achieve in this Congress.

Mr. President, I yield the floor.

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. ASHCROFT. 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. ASHCROFT. Mr. President, I am honored to cosponsor the Abraham-Domenici Social Security surplus preservation amendment. This amendment will protect Social Security for millions of Americans who now receive its benefits and who now pay taxes hoping that they someday, too, will receive Social Security.

I believe protecting Social Security is the highest priority we could have in the Congress. Protecting Social Security means we must make sure the current surpluses that will be needed to pay benefits later are not used to pay for new budget deficits in the rest of government. That is what this bill does. It is why I am for it, and it is why I urge swift passage of this legislation.

The legislation we are debating today logically follows and, in fact implements, previous policy decisions that have been made by this Congress. Let's review a sense-of-the-Senate resolution that the Senate passed by an overwhelming 99-to-0 vote just 2 weeks ago. That resolution made these points:

No. 1, Congress and the President should balance the budget excluding surpluses generated by the Social Security trust funds.

No. 2, reducing the Federal debt held by the public is a top national priority.

No. 3, the surpluses now held in the Social Security trust fund will reduce the debt held by the public by $1.7 trillion.

The nonpartisan Congressional Budget Office estimates that President Clinton's budget would spend $158 billion of Social Security surpluses on new spending programs over the next 5 years. That is the nonpartisan Congressional Budget Office. It simply says that the President's plan for spending is to use the Social Security surplus to go out and spend $158 billion which would not otherwise be spent over the next 5 years.

Social Security surpluses should be used for retirement security, for payment of current benefits, or to reduce the debt, and should not be used for other purposes.

These mandates should be implemented in two ways:

First, by providing for a Senate supermajority point of order against any bill or resolution that would use Social Security surpluses on anything other than the payment of Social Security benefits.

Second, by establishing a supermajority point of order in the Senate against raising the limits established on the level of debt held by the public. This resolution passed the Senate 99 to nothing. It passed unanimously. Not only did it pass unanimously, there was no dissenting debate.

The conference report on the budget resolution which we passed last week took the first steps necessary to protect Social Security by balancing the budget without using the Social Security surpluses, and it established for the next 2 years a point of order against budget resolutions that use Social Security surpluses to balance the budget.

Mr. President, I believe that is what we need to do. We need to basically say that it is out of order to go back and take Social Security surpluses to cover deficits in other parts of government.

The amendment we have before us implements the sense-of-the-Senate resolution. It simply takes what we did 2 weeks ago and makes permanent the Social Security protection measures that were included in the conference report. Specifically, this amendment accomplishes the following:

No. 1, this amendment creates a 60-vote point of order against future budget resolutions that use Social Security surpluses to balance the budget. This provision makes the temporary point of order included in the conference report permanent, and it is made a part of the law, not just part of the Senate and House rules on the budget. We simply would be able to say that it is out

of order, it requires a supermajority setting aside or suspending the rules in order to devote the Social Security surplus to covering deficits in other parts of the operations of government.

This provision is identical to legislation I introduced earlier this year to protect Social Security. This amendment lowers the amount of debt held by the public by amounts roughly equal to the Social Security surpluses. So as you have a Social Security surplus, instead of spending it on new government, you use it to lower the amount of debt held against this country.

The effect of this provision is twofold: It helps ensure that the Social Security trust funds are not used to pay for aggressive spending programs or for tax cuts; and, secondly, it reduces overall Federal debt. By reducing debt, this amendment will strengthen our economy, strengthen Social Security, and our capacity to meet our obligations to it in the future.

Reducing the public debt makes it easier for America to meet its Social Security obligations in three ways. I think Speaker HASTERT was most eloquent about this. He said if you ever came into a surplus in your own life—maybe a rich uncle died, left you $50,$60,000—and you either could spend it on a bunch of new spending or pay down the mortgage on your house, which would help you meet the challenges of the future better? It is pretty clear, not going to Las Vegas and taking a lot of vacations but paying down your debt, paying down your mortgage, would be the best thing.

Over the long run, paying off the debt will lower interest payments, which are now over $200 billion annually. They equal about 15 percent of our budget now.

No. 2, they would ease the burden of the $3.8 trillion national debt, which would free up more resources to help us meet Social Security obligations in the future. Of course, No. 3, 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's IOUs when needed.

We cannot afford not to pay off the Federal debt. Federal debt incurs very real costs in the form of interest payments and higher interest rates. Under President Clinton's proposed budget, $158 billion from the fiscal year 2000 to fiscal year 2004 budget would be diverted from debt reduction and directed towards spending. According to the Senate Budget Committee, that represents 21 percent of the Social Security surplus over that period. In fiscal year 2000 itself, it represents $40 billion, or 30 percent of the surplus.

In contrast, our amendment would require us to reserve every penny, all of the Social Security surplus, for debt reduction. Under this plan, publicly held debt, which now stands at 44.3 percent of GDP, would be reduced to 10.3 percent of GDP by the year 2009. That is a 70-percent reduction over just 10 years.

Once this amendment is adopted, the President and Congress will no longer raid Social Security surpluses to pay for non-Social Security spending. This amendment would, therefore, protect Social Security at the beginning and at the end of the budget process. At the front end, Congress could no longer pass budgets that use Social Security surpluses. At the back end, the ratcheting down of the debt ceiling would ensure that Social Security surpluses go to debt reduction, thereby helping to keep our financial house in order. A strong financial house for the United States of America is fundamentally the best guarantee we can ever have that Social Security will be a house of integrity itself.

One of the most important lessons a parent teaches a child is to be responsible, responsible for his or her conduct and responsible for his or her money. America needs to be responsible with the people's money. The debt reduction proposed by this amendment is among the greatest gifts we can give to our children, and it is a great gift for our seniors. Imagine what our children could do if we were able to provide for them a next generation that is free, free to build their own dreams instead of pay for our past.

In addition to protecting our children from debt, this amendment will also protect the Social Security system from irresponsible government spending.

I urge my colleagues to join me in support of this amendment, and I thank the Chair for this time on the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank the Senators who have taken the floor and spoken on behalf of this lockbox amendment.

I have worked for many years with a number of Senators, some of whom are on the floor—some on the other side, like Senator HOLLINGS—in an effort to see what we could do to make it as difficult as humanly possible to spend Social Security trust fund money for other kinds of expenditures of the Federal Government, be it programs, or be it tax cuts.

Frankly, I have heard it said on a number of occasions that the things we tried to do heretofore were all process and didn't get the job done. I don't want to take credit for doing something extraordinary. But I will say this idea of tying the Social Security trust fund to the debt held by the public over a 10-year period, and limiting the amount of debt that can occur in each of those years for a decade, which essentially is the current debt minus the amount of Social Security trust fund subtracted each year from that debt—what is left over, that residual is the debt held by the public. But I did, at a committee hearing, for some reason come up with the idea that maybe that is what we ought to do—tie it to a debt limit.

There will be plenty of people who will take the floor and say this is too rigid, this is too tough, this puts too big a shackle around the Government of the United States.

Let me tell you honestly. If you want to tell the seniors of America we don't want to spend your Social Security money for programs, or tax cuts, or anything other than when we need it for you, we will use it for you, then you ought to really be serious about it. You ought to say that is what we are trying to do.

Obviously this is the first time that the rhetoric and the contentions by Senators from both sides of the aisle that we ought to not spend Social Security money has been reduced to a statute that, if it passes and is signed by the President, will govern for 10 years, whether or not the United States can easily use trust fund money from Social Security for other causes, other reasons, as just as they may be. It will become very difficult when this legislation becomes law for us to ever again in a wholesale, willy-nilly manner spend Social Security trust fund money. In fact, every time you exceed that debt limit, and even if you have 60 votes, you are going to have to tell the American people we are exceeding it; we have 60 votes now. It is something very important, and people are going to be able to look and see. Was it something very, very important, or are we back to business as usual?

That is the essence of this proposal.

When I was saying we talk a lot about it, let me say on the debate on the budget resolution on the floor of this Senate—and the occupant of the Chair helped, because he voted the right way, but on this vote it was an easy vote because 99 Senators voted for it, as I recall. There was a sense-of-the-Senate resolution, kind of the precursor to this bill that was adopted by the Senate. It was an Abraham-Domenici and others sense-of-the-Senate resolution.

It did the following things:

One, it reaffirmed the Omnibus Budget Reconciliation Act of 1990 that Social Security trust funds are off budget.

Second, it provides a Senate point of order against any budget resolution that violates that section of the Omnibus Budget Reconciliation Act.

Third, it mandates that Social Security surpluses are used only for Social Security, or reducing the public debt.

Fourth, it provides for a Senate supermajority vote on a point of order against any measure that would use Social Security surpluses for anything other than the payment of Social Security benefits, Social Security reform, or the reduction of the debt held by the public.

Fifth, it ensures that all Social Security benefits are paid on time.

Last, it accommodates Social Security reform legislation. That was passed 99–0.

Mr. President, what happened was we attempted in that sense-of-the-Senate resolution to encapsulate what this legislation that is before us today did. It said that it is the sense of the Senate that we should adopt a bill that does all of these things. Now we have that bill before us.

So those who would now want to either unduly delay this vote, or say we should not do it, or vote against it, no, it is not so easy to explain that they just less than 10 days ago voted—2 weeks ago and a few days—voted 99–0 to adopt legislation just like this.

I understand that there can be a lot of explaining between the language and the statute—the language in this lockbox legislation.

Right off, I want to mention one thing. There are a number of Senators—I am hoping it is a minimum—within the next couple of days who are going to cite the fact that our distinguished Secretary of the Treasury, Mr. Rubin, said some legislation that he had seen that was the Domenici legislation on the lockbox wouldn't work mechanically, that part of the year you don't get in a real strong flow of income tax, and later on you get in a big flow of income tax, and that maybe you would not be able to control the expenditures and the need for cash during those early days if in fact you had a very rigid year-long debt limit.

We have done the best we can. We are open to suggestions to adjust to that need for flexibility without altering the ultimate dollar number that will be the debt held by the public.

Again, rather than use it to destroy this legislation, which it should not do—I read the letter, and we can fix the concerns of the Secretary—if that is all the concerns the administration has, if that is all of them, we already fixed most of them right here. But if it is not quite right, we welcome the legislative liaison from the Treasury or the White House to come and tell Mr. Rubin to tell us how to fix it better, just as long as it is understood that we don't want somebody from the administration saying that what we are really telling you is too tough, it is too rigid, it holds your feet to the fire too much, we ought to have more flexibility in terms of why and for what purpose we should use this Social Security surplus. If that is the reason the legislation is bad, we want to suggest that we are at opposite ends of the polls; for that is the reason we think it is good, because it is very tough.

If you are going to throw away much of the Social Security funds in the next decade instead of applying it to the debt of $1.8 trillion, it is not going to be easy, which means that Government is going to be pretty much tied to a reasonable budget that does not spend the Social Security budget surplus over time over this decade.

For those who say, well, you know, there will be no money for this or that or the other, maybe there won't, but maybe there will be because we are not saying that surpluses that are not Social Security surpluses are subject to any kind of restriction. They are subject to what Congress wants to do and what a President recommends.

So if there are surpluses that do not belong to them—and there is a very large chunk of surplus now that doesn't belong to Social Security—we are not trying to limit that. We Republicans think most of that should go back to the public in tax cuts, but that is a year-long battle with the President and others. That is not Social Security money.

Mr. President, that same sense-of-the-Senate language that I told you about that was adopted in the budget resolution in its final form, after it got 99 votes freestanding, it was adopted by a vote of 54–44 when the budget resolution was adopted.

When 99 people vote and tell the Senate what we should do, and then we do it, it would seem to me that it ought to be a rather simple proposition that we ought to do it, tell the public we meant what we said, and get on with making sure we find other ways to take care of our governmental needs, but not the Social Security trust fund for the next decade.

Unless the Senate and the sense-of-the-Senate resolution was meaningless, this statute should get rather broad-based support, it seems to this Senator.

Let me speak from the standpoint of what could be better for America than us doing this. I can think of hardly anything that could be better for America, not just for the seniors, better for America. Mr. President, $1.8 trillion during the next decade, and I truly believe that if this statute is adopted it will be perilously close to $1.8 trillion, that will be cut from the national debt.

That is an incredible number. Senator ASHCROFT just told us how big it is, in terms of percentage of our gross national product. But $1.8 trillion of public debt during this decade will be wiped clean and there will be no public debt against that $1.8 trillion because the surplus of Social Security money will be there, only to be used for major reform for Social Security if, in fact, that occurs during this decade.

Why is that good? If you asked almost every rational, reasonable, mainstream American economist from Alan Greenspan to that long list that said the President was doing good things in reducing the debt, you ask them if reducing the debt by $1.8 trillion is not a very positive thing for our economy and they will all say: The best thing to use surplus for is debt reduction. Because that means we borrow less. In a very interesting way it means we save more, because if you were to spend it, you would have to be borrowing to take its place. And if you do not borrow, you are saving. Since we individually save little, it is very good, starting into the new millennium and the first few years, that we have a low debt with low borrowing which may very well keep the American economy moving ahead, strong, powerful, with lower interest rates.

What could be better for America? Nothing. What could be better for seniors? Nothing—other than a reformed Social Security program that was in existence for 75 years with no problems. And, frankly, an appropriate plan might use this surplus in transition for that and we might get that out of this also.

Why else is it good for seniors? Did anybody hear the President go to the Rose Garden when he got a statement from the trustees of Social Security and Medicare the other day and announce to America that things were looking better for Medicare and Social Security? I believe there was an announcement that we added 8 years to the longevity of the trust fund for Medicare. And we did not do a thing. We just continued to have a prospering American economy. So one can say seniors should want a prospering American economy more than anyone else in this society, because a prospering American economy, with high employment and low unemployment, is the best medicine for the Social Security trust fund and Medicare trust fund of anything, any set of activities we could do as American people, as business people, and as American taxpayers and workers, producing goods and services in this very vibrant and powerful economy.

So, when you look at that, this may just be, in some people's minds, some small approach to making the case that we are trying to save Social Security trust fund money from being spent arbitrarily for things that are not Social Security. It is more than that. It is a combination of things that I just described, including the very positive result of greatly reducing the national debt while we wait to see what is needed for Social Security reform; a very, very positive piece of legislation.

It is important to allow the Federal Government maximum flexibility in times of low growth or recession. The Federal budget is one of the most important economic policy tools we have. In fact, we have procedures in place which allow us to suspend our budgetary enforcement rules during such times.

This legislation contains a low-growth, recession trigger as well. If the Department of Commerce reports two consecutive quarters of real economic growth of less than 1 percent, the limit of debt held by the public is suspended. The current law statutory debt limit would still be in place.

The limit on debt held by the public is suspended until the Commerce Department issues a final GDP report indicating that the level of real GDP has risen back to its level prior to the low growth or recession period. The limit on debt held by the public is restored at its actual level (at the time the Commerce Department report is issued that de-triggers the suspension.)

The limit on debt held by the public then begins to decline at the same rate that it would have had the suspension not been triggered.

Mr. President, the Act is effective for 10 years and then sunsets. This is the same time period covered by the recently adopted concurrent resolution on the budget for fiscal year 2000—H. Con. Res. 68. It is a period of time in which the Social Security trust fund balances are expected to grow by nearly $1.8 trillion. These balances would retire debt held by the public which would help prepare the country for the retirement of the baby boom generation early in the next century. It reaffirms off-budget treatment of the social security program.

The act reaffirms current law that the receipts and disbursements of the Social Security trust funds shall not be counted for the purposes of the Federal budget submitted to Congress by the President or any congressional budget.

The act creates a new Budget Act point of order against Congress adopting a budget that uses social security surpluses to achieve balance, and requires the President to submit a budget that does the same. It uses the Social Security surplus to reduce the debt held by the public. The act establishes a new enforceable limit on the amount of debt held by the public over the period from 2000 to 2010. These debt limits specified in the act are current estimates of the level of borrowing from the public over this period that result from the Social Security surplus only being used to retire debt. The surplus could not be used for non-Social Security spending or tax cuts. Legislation increasing these limits would require a super-majority vote in the Senate.

The act establishes the first limit becomes effective as of May 1, 2000, and effectively ratchets down this limit May 1 and periodically thereafter. The effective date accommodates Treasury Department's Federal cash management responsibilities. The newly established debt held by the public limits would not disrupt the cash management operations of the Bureau of the Public Debt nor would it jeopardize Social Security benefit payments.

The limits follows:

May 1, 2000 through April 30, 2001, $3.628 trillion;

May 1, 2001 through April 30, 2002, $3.512 trillion;

May 1, 2002 through April 30, 2004, $3.383 trillion;

May 1, 2004 through April 30, 2006, $3.100 trillion;

May 1, 2006 through April 30, 2008, $2.775 trillion; and

May 1, 2008 through April 30, 2010, $2.404 trillion.

There are adjustments to Limits for Social Security reform, recessions, emergencies and war. Social Security reform—the Act authorizes adjustments to the limits established for legislation enacted that reforms Social Security during this time period. If Social Security reform legislation is enacted, and if that legislation has the effect of changing the debt held by the public specified in this act, then the Secretary of the Treasury shall adjust the limits in this act to reflect those changes.

Recessions—the provisions of this act are suspended during a period of low economic growth. Two consecutive quarters of less than 1 percent real economic growth would automatically make the debt limits in this act inoperative. After the recession has ended, the act would reinstate new debt limit levels adjusted for the impact of the recession.

Emergencies—the act also provides for an automatic adjustment to the debt limit levels specified if, after the adoption of this act, the Congress enacts into law ''emergency'' spending defined under the Balanced Budget Act. If emergency spending uses a non-Social Security surplus, then no adjustment to the limits would be necessary. If, however, emergency spending requires the usage of Social Security surpluses, then the limits specified in the act would be adjusted for that amount.

Declaration of war—the act would be suspended upon Congress enacting a declaration of war.

I want to suggest there are those who wonder what we will do if we have a recession. I provided in this a triggering mechanism. If there is anybody who would like to improve upon it, I welcome it. But it says you have a recession if you have two consecutive quarters of significant downturn in the economy, in which event you may very well be dramatically impacting upon the tax take of the country. In that case you may, indeed, trigger a halt to the reduction, the constant reduction of the debt limit. And you may leave it in place until you get into a recovery mode and then set it back on its trendline toward total elimination of the $1.8 trillion.

In addition, you will find some language in it regarding war, or regarding substantial moneys being needed for our military. Those may occur from time to time and we would not want people to say this is making it impossible to fund that, even though holding it is a good thing. It might be that you would want to use it for those kinds of things, and there is a provision permitting us to do that.

When you add it all up, I think we have been considerate of the problems associated with trying to truly lock this money in and that we have a good bill. We hope we get some support from the Democratic side before we are finished, and we stand ready to debate it. I hope our leader stands ready to debate it as long as necessary for us to get an up-or-down vote and see just where we all stand so our people will understand our position when the legislation appears, rather than when we have a sense of the Senate that we ought to do this. Let's see what happens on the legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, let me first respond to our distinguished budget chairman by reading a letter addressed to our distinguished minority leader by the Secretary of the Treasury, Robert Rubin. It is dated March 17, 1999.

DEAR TOM: Thank you for inquiring about the impact of the new debt limits contained in the Social Security Surplus Preservation Act. I appreciate the opportunity to respond to your question. In brief, I am deeply concerned that these limits could preclude the United States from meeting its future financial obligations to repay maturing debt and to honor payments—including benefit payments—and could also run the risk of worsening a future economic downturn.

It has been this Administration's view that fiscal restraint is best exercised through the tools of the budget process. Existing enforcement tools such as the pay-go rules and the discretionary spending limits in the Budget Enforcement Act have been key elements in maintaining fiscal discipline in the 1990's Debt limits should not be used as an additional means of imposing restraint. Debt is incurred solely to pay expenditures that have previously been authorized by the Congress and for the investment of the Federal trust funds. By the time the debt limit is reached, the Government is obligated to make payments and must have enough money to do so.

If Treasury were prohibited from issuing any new debt to honor the Government's obligations, there could be permanent damage to our credit standing. The debt obligations of the United States are recognized as having the least credit risk of any investment in the world. That credit standing is a precious asset of the American people. Even the appearance of a risk that the United States of America might not meet its obligations because of the absence of necessary debt authority would be likely to impose significant additional costs on American taxpayers. Yet, in November 1995, a debt crisis was precipitated when Government borrowing reached the debt limit and in January Moody's credit rating service placed Treasury securities on review for possible downgrade.

As you know, there is currently a statutory limit on the amount of money that Treasury can borrow in total from both the public and from Federal trust funds. The proposed ''lockbox'' provision would add a new statutory limit on debt to the public.

The proposed new debt limit runs the risk of precipitating additional debt crises in the future. Although the proposal adjusts the debt ceiling for discrepancies between the actual and projected Social Security surpluses, it does not make similar corrections for unanticipated developments on the non-Social Security side of the budget. While our forecasts have been conservative, the current forecast of the non-Social Security budget could prove too optimistic because of changes in the economy, demographics, or countless other factors. This could cause the publicly held debt to exceed the new debt limit.

Furthermore, even if the debt limit appears sufficient because if covers the annual debt level—measured from end-of-year to end-of-year—it could easily be inadequate for the Government to meet its obligations at a given point during the year. Under normal circumstances, every business day, Treasury makes payments—including Social Security payments on certain days. In any given week, Treasury receives revenues, makes payments, and refinances maturing

debt. Weekly and monthly swings in cash flow can easily exceed on-hand cash balances. When this occurs, Treasury then borrows from the public to meet its obligations. If the amount of publicly held debt were to reach the level of the debt limit—or if the debt limit were to decline to below the level of publicly held debt—Treasury could be precluded from borrowing additional amounts from the public. If Treasury could not borrow to raise cash, it is possible that it could simply have to stop honoring any payments—including Social Security payments.

In this case, Treasury could be prohibited from issuing any new debt to redeem maturing debt. Every Thursday, approximately $20-23 billion of weekly Treasury bills mature and, every month, an additional $60–85 billion in debt matures. These securities must either be paid off in cash or refinanced by issuing new debt. Treasury could be put in the position of having to default for the first time in our nation's history.

Congress could defuse the debt limit problems by immediately voting to raise the debt ceiling. Under the ''lockbox'' proposal, however, it would take sixty votes in the Senate to do so. As past experience indicates, obtaining a super-majority for this purpose is often time-consuming and difficult. Moreover, this requirement would greatly enhance the power of a determined minority to use the debt limit to impose their views on unrelated issues.

Finally, the proposed debt limits could run the risk of worsening an economic downturn. If the economy were to slow unexpectedly, the budget balance would worsen. Absent a super-majority vote to raise the debt limit, Congress would need to reduce other spending or raise taxes. Either cutting spending or raising taxes in a slowing economy could aggravate the economic slowdown and substantially raise the risk of a significant recession. And even those measures would not guarantee that the debt limit would be not be exceeded. A deepening recession would add further to revenue losses and increases in outlays. The tax increases and spending cuts could turn out to be inadequate to satisfy all existing payment obligations and keep the debt under the limit, worsening a crisis.

To summarize, these new debt limits could create uncertainty about the Federal government's ability to honor its future obligations and should not be used as a instrument of fiscal policy. While we certainly share the goal of preserving Social Security, this legislation does nothing to extend the solvency of the Social Security trust funds, while potentially threatening the ability to make Social Security payments to millions of Americans. I will recommend that the President veto the bill if it contains the debt limit provisions. If you have any additional questions, please do not hesitate to contact me.

Sincerely,

ROBERT E. RUBIN.

(Mr. DOMENICI assumed the Chair.)

Mr. HOLLINGS. Mr. President, the interesting thing to this Senator, of course, is the date, March 17. Nothing has changed. We knew that the distinguished chairman of the Budget Committee and his colleagues would be conspiring, as they have delayed us this afternoon to get the exact right conspiracy. To do what? To eliminate President Clinton's budget, on the one hand, and to engage in a charade or fraud, on the other hand, to make the Members, and particularly the media that covers this thing, see the perception is the reality. They are still talking surplus, surplus, surplus, surplus when we pointed out time and time and time again there is no surplus. We are spending $100 billion more than we are taking in. But this is to get everybody to think there is some change.

All you have to do is read the distinguished chairman's summary of the Social Security Surplus Preservation and Debt Reduction Act, summary of amendment, April 20, 1999. This is 1 month later. The distinguished Secretary of the Treasury foresaw this amendment. There is nothing complicated about it except its wording and rewording of the statutory provisions of 13301 and many, many other provisions, to mislead, as if it were really doing something.

But, 2, ''Uses Social Security surplus to reduce the debt held by the public.''

Mr. President, we have been doing that for years and years on end. That is what we call the unified—there it is—the unified deficit. That is when they use the Social Security surplus. We have this chart. We have been using this for years.

As a former chairman of the Budget Committee—I speak advisedly, not politically—I have been trying my dead level best to do what the chairman in this amendment proposes to do, but it is the same act, the same scene, because in 1968 President Lyndon Baines Johnson brought about a merging of the Social Security trust fund with general funds of the U.S. Government so we could then talk about a unified deficit with trust funds. Therefore, you could get a surplus rather than a deficit.

The truth of the matter is, the trust fund surplus from Social Security is $126 billion. You use Social Security trust funds and you continue to do so.

They say pay down the public debt. Let me get into that paying down the public debt, like it is something other than the national debt. I am in my 33rd year, and the real problem is to really try to stop increasing the national debt and to pay down the national debt.

When we say pay down the debt, do not give monkeyshines of paying down public debt, thereby increasing Social Security debt. The distinguished Senator from Missouri said just a minute ago, if you inherited money, rather than going off to Las Vegas you ought to pay off your home mortgage. This does not pay off the home mortgage. This does not pay down the national debt. It just levels off and obscures the true size of the national debt, whereby we are thinking we are reducing the public debt and we are paying our bills. Not at all.

(Mr. SMITH of Oregon assumed the chair.)

Let's assume, Mr. President, individually I had two credit cards, I had a MasterCard and I had a Visa card, and I got in a big bill from MasterCard, and I said, ''Well, I'll take care of that crowd. They've been bringing a lot of pressure on me, so I will just take the Visa card and pay off the MasterCard.'' I still owe that much more money. I have just transferred it from MasterCard to Visa. In this case, I am just transferring it from public debt to Social Security. I am using, borrowing, spending—ah, spending—the Social Security moneys to pay down the public debt.

That is all this amendment says, and that is what we have been doing since 1968. But on this long sheet here of—how many pages are here? It is a 17-page amendment, with all these facts and figures. You can find the triggering mechanism on page 10, when they say, ''After the Secretary determines the actual level for the social security surplus for the current year, the Secretary shall take the estimated level of the social security surplus for that year specified in paragraph (1) and subtract that actual level.'' And when you subtract that level, you bring down the public debt. That is the triggering mechanism. The amendment has 17 pages, and you will find it on page 10. The debt goes up, up, and away.

Mr. President, I had to go to the Congressional Budget Office and ask for the trust fund balances. As of February 1999—I have not gotten it for March yet. Let me give you the Congressional Budget Office figures here of what we owe Social Security. That is something you ought to remember, that there isn't any Social Security surplus. Yes, each fiscal year there has been for several years, because we really bring in more than what we have to pay out that particular year. But having spent it, having been paying down the public debt, we have been spending the Social Security money.

So Social Security, as of 1998, $730 billion in the red; 1999, $857 billion. These are CBO figures. These are shockers—shockers—to you, because I am reading out how we are increasing the debt, not paying it down.

We are the board of directors of the Government. We are not stock analysts up on Wall Street hoping that the Government does not come in with its sharp elbows, borrowing to pay its bills, running up interest rates, perhaps causing inflation, crowding out corporate finance.

So you will find that the financial community and the Greenspans—oh, they love this ''pay down the public debt.'' They are not elected to office. We are elected as the trustees of the fiscal condition of the U.S. Government.

Here is the most important program we have domestically, the Social Security program. And in 1998, $730 billion in the red; in 1999, it is projected to be $857 billion; in 2000, $994 billion; in 2001, $1.139 trillion; and in the year 2002, under current policy, paying down the public debt, $1.292 trillion; in 2003, $1.453 trillion; in 2004, $1.624 trillion; in 2005, $1.808 trillion, in 2006, $2.001 trillion; in 2007, $2.205 trillion. And at the end of the 10-year period this particular amendment contemplates, in the year 2008, we will owe, paying down

the public debt and increasing the Social Security debt, $2.417 trillion.

Now, come on. When you need the money to make the payments, when you can't just depend on the interest cost in 2013, at the end of the year in 2012, you are going to have to start borrowing money. And in 2034 you will be outright broke and you will owe nearly $4.5 trillion—almost $5 trillion.

Who would want to be Senators running for reelection? Who would want to get elected to that mess? All you can do is cut down all the programs and raise taxes, unless you can get away with this fraud that is going on.

I use the word ''fraud'' advisedly. We learned, as freshmen in law school, that it had to be false, and it was intended to be false, and intended to deceive, that it was relied upon, it did cause damage, and the damage was the proximate cause. This particular amendment is knowingly with intent to deceive. It is a fraud. It does not change a thing.

We have been paying down the public debt with Social Security money, and we are running up Social Security's debt, sticking it more and more and more in the red, all under, ''We're going to save Social Security 100 percent. It is going to be spent on only Social Security''—absolutely false. When you pay down the public debt, that debt could have been caused by defense, Kosovo, it could have been caused by food stamps, it could be caused by foreign aid or Lawrence Welk's home—I remember when we appropriated money for Lawrence's home—it could be anything.

So when you are paying down the debt, as it says right here on the face of the handout by the distinguished chairman of the Budget Committee—and I read, again, ''uses the Social Security surplus to reduce the debt held by the public''—the debt held by the public is cumulative with every and any amount of different expenditures. So it has more to be spent on every and any thing but Social Security, all the time saying they are saving Social Security.

Let me make absolutely clear about this fiscal condition that we are in, because we have a cancer; we have fiscal cancer.

Mr. President, I have a good friend over on the House side, the chairman of the Transportation Committee, Mr. SHUSTER. And he is finally going to spend some highway moneys on highways. Bless him. I am 100 percent for him, because I have been in this game now ever since we started the budget process in 1973, 1974, with Senator Muskie. I have been the chairman of the committee.

But here are the trust funds. The Secretary of Treasury refers to trust funds. Somebody will say, they are not trusts, but they are supposed to be. ''For the investment of Federal trust funds'' is the expression used by Secretary Rubin. I am using the same expression: ''Trust fund looted to balance the budget.''

In 1999, here is what we owe Social Security: $857 billion; Medicare, we got $129 billion for the HI portion of Medicare and 39 billion for the SMI portion; for military retirement, $141 billion; for civilian retirement, we owe $490 billion—that is civil service employees; they ought to know it; it is going up—unemployment compensation fund, $79 billion; highway moneys, $25 billion; airport moneys, $11 billion; railroad retirement, $23 billion; and ''other,'' like the Federal Finance Bank, $57 billion. So we owe our trust funds $1.851 trillion.

By this 5-year period, at the end of 2004, we will owe $2.954 trillion under current policy, and the amendment of the Senator that has just been put in by the majority leader—I wasn't here when it was introduced, but I understood he was going to put it in or the chairman of the Budget Committee—the one under consideration, in 5 years, we will owe $3 trillion to all of the particular trust funds. And the distinguished Senator from Texas came down to the floor of the Senate, and this is a quote of what he said on April 15:

> I believe that this is an excellent budget. I think, looking at the whole package, it is the finest budget presented in America in the 20 years that I have served in Congress.

Do you know what it does, Mr. President? It just breaks all the discipline, the little discipline that we do have that has been in the pay-go rules. So once we settle out, then any amendment that came in, you had to have an offset.

Here is what they do in the conference report so that they can go ahead with tax cuts and anything else they want. Of course, the manifest intent is to do away with Social Security, privatize it. In order to privatize it under Milton Friedman's plan, you need what? You need these surpluses. You need the $1.8 or the $2 trillion or, if you do it in the year 2004, you will need $3 trillion. So you will need these surpluses.

Here's how you get them. Section 202 of this budget—here is the conference report on the budget:

> Whenever the Committee on Ways and Means of the House or the Committee on Finance of the Senate reports a bill or an amendment thereto is offered or a conference report thereon is submitted that enhances retirement security through structural programmatic reform, the appropriate chairman of the Committee on the Budget may, one, increase the appropriate allocations and aggregates of new budget authority and outlays for the amount of new budget authority provided by such measure and outlays flowing therefrom for that purpose. Two, in the Senate, adjust the levels used for determining compliance with the pay-as-you-go requirements of section 207. And, three, reduce the revenue aggregates by the amount of the revenue loss resulting from that measure for that purpose.

There go your tax cuts.

What does this mean? It means what the distinguished chairman of the Budget Committee says. Whenever the Committee on Ways and Means of the House or the Committee on Finance reports a bill, an amendment thereto, the chairman can decide, the appropriate chairman of the Committee on the Budget, he can tell you what that means; it means what he says.

I am speaking as seriously as I know how. I have never seen the extreme of the shenanigans and the maneuvers and the misleads and the fraud going on politically, all to get by the next election, specifically using Social Security trust funds.

Let's go back, Mr. President, to the Greenspan Commission. The Greenspan Commission, in 1983, said we are going to institute this payroll tax; namely, the 6.2 percent, the payroll by the employer, and 6.2 percent by the employee, for 12.4 percent. And we know that is a high payroll tax. But we are putting that in to take care of the baby boomers in the next generation. That is why it was put in that way.

And to make sure that it was set aside, section 21, Mr. President, provided just exactly that. It provided that it be set aside and that—if I can find that section, I will show it to you, section 21. It said remove Social Security from the unified budget. That has been the on-budget, off-budget, unified and all that, un-unified, private debt, public debt, trust fund debt, everything else—it is just one account. But I will read section 21:

> A majority of the members of the National Commission recommends that the operations of the OASI, DI, HI and SMI Trust Funds should be removed from the unified budget.

It took this Senator on the Budget Committee almost 7 years before I could finally get it reported out of the Budget Committee, that particular provision.

I ask unanimous consent that section 21 of the Greenspan Commission report be printed in the RECORD.

There being no objection, section 21 was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY AND THE UNIFIED BUDGET

(21) A majority of the members of the National Commission recommends that the operations of the OASI, DI, HI, and SMI Trust Funds should be removed from the unified budget. Some of those who do not support this recommendation believe that the situation would be adequately handled if the operations of the Social Security program were displayed within the present unified Federal budget as a separate budget function, apart from other income security programs.

Mr. HOLLINGS. I thank the Chair.

I think we have in here section 13301. I ask unanimous consent that we print in the RECORD at this point section 13301 of the Budget Enforcement Act.

There being no objection, section 13301 was ordered to be printed in the RECORD, as follows:

SEC. 13301. OFF-BUDGET STATUS OF OASDI TRUST FUNDS.

(a) EXCLUSION OF SOCIAL SECURITY FROM ALL BUDGETS.—Notwithstanding any other provision of law, the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President,

(2) the congressional budget, or

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) EXCLUSION OF SOCIAL SECURITY FROM CONGRESSIONAL BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following: ''The concurrent resolution shall not include the outlays and revenue totals of the old age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any . . .''

Mr. HOLLINGS. I thank the distinguished Chair. I will read ''Exclusion'':

Section 301(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following: ''The concurrent resolution shall not include the outlays and revenue totals of the old age, survivors and, disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code.''

And it goes on in paragraph (a) saying that the Social Security trust fund

. . . shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of the budget of—(1) the budget of the United States Government as submitted by the President, (2) the congressional budget, or (3) the Balanced Budget and Emergency Deficit Control Act.

Now, true it is, the amendment reiterates that particular section. But that has been in the disabuse, the disavowal, the violation thereof ever since 1990, when President Bush signed it into law on November 5 of that particular year. And this particular amendment continues to put it within the unified by paying it down.

Now, that has been the big problem all along. And so at the beginning of the year, when I fortunately began to hear music to my ears that both the White House and congressional leaders on both sides were saying again and again that they were going to save Social Security, I got with my friend Ken Apfel, who used to work for the Budget Committee and is the Administrator of Social Security today, and, as a result, we introduced S. 605, a bill to solidify the off-budget status of the Old Age Survivors and Disability Insurance Program under title II of the Social Security Act and to protect program assets. Let me read section 5:

Notwithstanding any other provision of law throughout each month that begins after October 1st, 1999, the Secretary of the Treasury shall maintain in a secure repository or repositories cash in a total amount equal to the total redemption value of all obligations issued to the Federal old age and survivors insurance trust fund and the Federal disability insurance trust fund pursuant to section 201(d) of the Social Security Act that are outstanding on the first day of such month.

Mr. President, that really puts it into a lockbox. It is in the Budget Committee. I have asked the chairman to let us bring it up. I would be delighted to have hearings on it. We would give anything to have a vote on it, but they have filled up the tree so I can't put it in as an amendment here. Maybe we can get it at the end of the so-called cloture vote and put it in when we get an up-or-down vote on this.

But section 201(d) requires the Social Security Administration to invest in Treasury bills, Government securities. Necessarily, they get the IOU and the Government gets the money. But if you immediately transfer an equal amount of money back to a trust fund in Treasury, as section 5 requires, then you have the lockbox where the money is only expended for Social Security purposes.

Now, this has been drawn with the assistance of the Social Security Administration. And some of my colleagues, when I showed it to them, they said: Wait a minute, that's what you are going to do. What you are going to do with the money is, you do exactly with the money as you did between the years 1935 and 1968 before you started this monkeyshine of a unified budget, spending all of the Social Security trust funds. That is what happens. You keep it right over there and it gets the highest amount permissible by law under T bills today, which this year in interest will be $48 to $50 billion in interest that it earns.

This money is supposed to be earning, on the one hand, and kept in trust, those earnings, and the total fund on the other hand. Instead, we are spending the interest and the fund itself. We are breaking Social Security, and coming out here baldfaced and saying we all want to save Social Security, and not one red cent is going to be spent on any other than Social Security. It is one grand fraud.

Mr. President, let me just emphasis, since I have the page turned here on public debt and private debt, or gross Federal debt—I am referring to an analysis of the President's budgetary proposals for fiscal year 2000. I asked CBO, ''What do you really leave out when you call it this public debt? What part of the debt, the overall public and private, or trust fund debt, goes into the national debt?'' This is held by the public. I am referring to page 74, April 1999, the most recent report of the Congressional Budget Office: Debt held by the public is the amount of money that the Federal Government has borrowed by selling securities to finance all of the deficits less any surpluses accumulated over time. Under the CBO's apparent baseline forecast, debt held by the public is estimated to decline from $3.6 trillion in 1999 to $1.2 trillion in 2009. Gross Federal debt consists of debt held by the public and debt issued to Government accounts.

Like you issue and you receive in Government accounts, most of the latter type of debt is held by trust funds, the largest of which are Social Security and Federal civilian employee retirement funds.

Because Treasury handles investment by trust funds and other Government accounts, purchases and sales of such securities do not flow through the credit markets. Therefore, interest on those securities is considered to be an intragovernmental transfer.

That is what I call the monkeyshine when they take from one and give it to the other. You only are talking about the one that you are giving, and you are saying you are reducing the public debt, but you are increasing Social Security debt and saying in the same breath you are saving Social Security when you are looting it, when you are savaging it. You are ruining it. There is no question that is what is going on, and that is what this amendment calls for.

Back in 1983, if we had any idea that Social Security trust funds were going to be spent for any other purpose, you would have never passed that tax increase on Social Security, that payroll tax. You would never have been able to get the votes.

We all talked and revered ourselves out here on the floor with the flourishes of how we were saving Social Security, that we weren't going to let it get in the red anymore, and how we are going to take care of the baby boomers in the next generation, and that we are not going to have it go bust. Instead, it is not the baby boomers that continue to talk. It is the adults on the floor of the Congress totally in violation of all Government policy. We are going to private corporations. And in 1994 we passed the Pension Reform Act and said there are too many of these takeovers. Well, these fast money artists come in and pay down a good conservative-run company. They pay down the company's debt with the pension fund, and then take all the money and run. We said that is going to have to stop, and we are going make it a felony if you do it.

So we passed the Pension Reform Act of 1994.

Colleagues have heard me tell the story of Denny McLain, because I saw it in the New York Times whereby Mr. McLain, the all-time pitcher for the Detroit Tigers, became the head of a corporation, paid off the debt with the company pension fund, got fired, convicted of a felony, and sentenced to 8 years. Mr. President, if you can find what cell poor Denny is in, tell him next time run for the Senate. Instead of the jail term, he would get the ''Good Government Award.''

We stand out here baldfaced and say how we are saving Social Security when we are spending it on the debt. Don't get all caught up with public debt like they want. That is what they want. They want us to meet ourselves coming around the corner. By the year 2000, next year, we will owe $2 trillion, and by the end of the 5-year budget period, we will owe trust funds—the Government itself—$3 trillion.

I can tell you. You couldn't do this in corporate America. We would be all fired as the directors.

But that is what happens and what occurs then. Finally, the fiscal cancer

grows in droves. What happens is then it is projected that this year there is $356.3 billion in interest costs.

Let me just say a word about that. I see other colleagues here on the floor, who I would be glad to yield to.

But I am trying to emphasize again and again that this amendment does nothing more than increase our fiscal cancer. It does not save Social Security. It puts Social Security deeper in the red. That is what happens here when you get the forced spending like taxes for interest costs on the national debt, which is part of the public debt, too, and the debt owed to the trust funds—what they might call if we were a private entity our ''private debt.'' But what happens is, as with Lyndon Johnson, President Johnson, back in 1968 when we last balanced the budget, when the Government last balanced the budget, in 1968–1969 we ended up with a surplus. We didn't use Social Security moneys, incidentally. At that particular time, there were about 200 years of history, and the cost of all the wars from the Revolution on up to World War I, World War II, the cost of Vietnam, Korea, the debt was less than $1 trillion. And the interest cost was only $16 billion—one-sixth—$16 billion. Here, without the cost of a war and the ensuing years, it has gone up to $1.2 trillion.

So we have increased spending for nothing, absolutely nothing. This is what I call ''fiscal cancer.'' You put in a sales tax. You get a school. You put in a gas tax. You get a highway. You put in other taxes. You get general government. But you put in this interest tax, for this charade, fraud, maneuver, political maneuver, and the cancer continues to grow. As the amount shows here on its face, for the next 5 years, the interest costs go up.

Here we are forced to spend $340 billion more than what President Johnson spent when the budget was last balanced.

Mr. President, just think of that $340 billion that I am going to spend this year, next year, next year. In fact, it is going up, up and away in interest costs. This is all under current policy, incidentally. And we have already destroyed current policy by passing an $18 billion military pay bill.

We have now, and we are all going to vote for it, I think, $6 billion for Kosovo. We have already busted the caps $21 billion. That is not the case here. This is saying that you have not busted the caps, that you had no Kosovo, that you had not voted $18 billion for the military. But just think of that $340 billion more. I could give $80 billion to paying down Social Security or saving Social Security. I could give $80 billion to pay down the public debt. I could give $80 billion for the Republican tax cut. I could give $80 billion for the Democratic spending programs, for Medicare and otherwise. That is only $320 billion. I would still have $20 billion for a parade and a party. As I promised my distinguished chairman, I would jump off the Capitol dome if he balanced the budget by the year 2002. That was a couple of years ago—or 2001. I am still willing to reiterate that pledge.

They are not balancing the budget. We are spending, as you can see, $105.2 billion more than we are taking in, according to CBO this year, and $91.8 billion more than we are taking in for the budget that we are working on for the year 2000. That is what I call fiscal cancer, and nobody wants to talk about it. They want to say: Oh, everything is coming up like roses. It is morning in America, whatever else, any kind of political jargon. But the reality is there. I have a record and I did not just come to this recently. I put in the sales tax, back in 1949 and 1950 for public education in my own State. I got the first triple-A credit rating of a southern State.

I have been chairman of this Budget Committee and I have been watching. I am trying to educate the media, that is the only saving grace I have, if they could finally come out like Barron's did and say there is no surplus. Everybody is talking about using the Social Security surplus. Mr. President, I do not think I can get this printed in the Record—but here the Concord Coalition has finally come around, and a few others have come around and said it—but Barron's, dated March 1: ''There is no budget surplus.''

If we could talk sense to each other, we could figure out how to get out of this thing. I said let's do it the way the Social Security Administration said; let's save it, let's put it in a true lockbox, S. 605. I thought when I passed 13301 that I had put it in a lockbox, on November 5, 1990. We said it never would be spent and be used to reflect the financial condition, but they violate it regularly.

S. 605 now says that you have to keep the money there. That is how we did it for years on end. It was fiscally sound. That is what is required of other pension funds, that they maintain their fiscal soundness.

With that in mind, I yield the floor.

Several Senators addressed the Chair.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from New Jersey.

Mr. LAUTENBERG. Thank you, Mr. President, for recognizing me.

Mr. President, I support the underlying bill to reform the rules governing emergency spending that has been reported out of the Committee on Governmental Affairs. Two amendments to that bill have now been offered, a first-degree amendment and a second-degree amendment, which blocks further amendments. The pending amendments are proposing to establish what is being called a Social Security lockbox.

Unfortunately, this lockbox is not secure. And it actually could undermine Social Security.

We Democrats have a far better alternative. Ours is a true lockbox. And it protects both Social Security and Medicare in a much more responsible way.

Before I comment further on the lockbox proposals, I want to review the underlying bill before us, which would make significant improvements in the treatment of emergency spending.

Emergency spending is not casual spending. It is so important that it is exempt from budget rules. And that is as it ought to be, because it involves responding to things like floods, earthquakes and volcanoes.

We can all identify parts of the country—the floods in the Midwest, the volcano in the State of Washington, and the terrible earthquake damage in California. Those are emergencies. They are immediate threats to American public health and safety, and Congress often has to act promptly to avoid the loss of life and property.

Unfortunately, the emergency exception has been abused. Last year, Congress stretched the rules past the breaking point in the omnibus appropriations bill, which included many items of questionable emergency designation, especially those for military spending. These were declared emergencies when, in fact, we were not looking at Kosovo and these items were not needed to respond to an imminent threat.

Mr. President, Congress has been able to abuse the emergency designation in part because the rules have been totally open-ended.

To address the problem, the Governmental Affairs bill proposes a new definition of ''emergencies'' and a point of order to help prevent conference committees from inserting unjustifiable new emergency spending. It is a good bill. And I commend Senator THOMPSON and Senator LIEBERMAN for their leadership.

Mr. President, while we were considering the budget resolution, the Senate approved an amendment offered by the distinguished Senator from Illinois, Senator DURBIN, that was based on this legislation. Yet the conferees on the budget resolution ignored the Senate's position. Instead, the conferees constructed a 60-vote point of order that now applies to all emergency spending—but with a huge loophole. Military spending was completely exempted, whether it was for new weapons systems or whatever.

Mr. President, Heaven knows that all of us want to support our military, and want to make sure that what we are doing in Kosovo is fully supported. I, for one, hope that we will do whatever we can to bring this wave of atrocities to a halt. So I am not complaining about military spending.

But, Mr. President, I thought that what the conferees on the budget resolution did was wrong. It was an abuse of the conference process since neither Senate nor House had approved anything like this. They just came up with it on their own.

I also thought it was bad policy.

Mr. President, there is no reason to allow 41 Senators to overrule 59 Senators who want to provide emergency spending for a flood, tornado, hurricane, or earthquake. And there is no reason to create a higher hurdle for a legitimate disaster than for a new weapons system.

I am afraid, Mr. President, that a 60 vote point of order against emergency designations is itself subject to abuse. One can conceive of all kinds of mischief to punish a particular senator or state for political reasons. And we should not to allow that kind of abuse.

Unfortunately, Mr. President, the amendment before us would leave this problematic approach from the budget resolution in place. Even worse, it would write it into law. I think that would be a serious mistake.

Now, Mr. President, I want to turn to the proposal to establish what proponents call a lockbox.

I strongly support the purported goal of this amendment; that is, to secure the future funding of Social Security. But I have three major problems with this proposal.

First, it does nothing to protect Medicare. Instead, it allows Congress to divert funds needed for Medicare in order to provide tax breaks for the wealthy.

Second, it threatens Social Security. Under the amendment, an unexpected economic downturn could block the issuance of Social Security checks. This would deal a serious blow to so many of our elderly who are dependent on Social Security.

Also, the amendment contains a booby trap that would allow Social Security contributions to be invaded for purposes other than Social Security benefits, like a risky new privatization scheme.

And third, the amendment could create a Government default —a U.S. Government default. It could undermine our Nation's credit standing, increase interest costs, and ultimately lead to a worldwide economic crisis.

I want to explain each of these in turn. The Medicare trust fund is now expected to be bankrupt by 2015—only 16 years away. We ought to move quickly to reform and modernize the program. But it is also clear that we will need additional resources. That is why most Democrats believe it is critical to save some of the surplus for Medicare.

Our Republican friends say they agree about the importance of saving some of the surplus for Social Security. But when it comes to saving for Medicare, they are not willing to reserve a single penny. Instead, they want to use funding that is needed for Medicare to provide any other things they favor, including tax breaks which are largely for the wealthy.

We Democrats think that is a mistake. And that is why I have developed a lockbox that would reserve funding for Medicare as well as Social Security. And I hope to have an opportunity to offer that proposal with Senator CONRAD of North Dakota.

Beyond its failure, Mr. President, to protect Medicare, the second major problem with the pending amendment is that it fails to protect Social Security. Actually, in some ways it threatens Social Security benefits.

First, it threatens to block the issuance of Social Security checks if the economy slows, or if the Congress fails to act responsibly. If the limit on public debt is exceeded, even by the smallest of margins, the Government could not issue more Social Security checks, and checks already issued could not be honored.

The Republicans say they protected Social Security benefits by providing that such benefits would be given—and I quote— ''priority.'' But this language will be of no use if the debt limit has been exceeded.

In that situation, no new checks could be issued. And that applies not only to Social Security checks, but unemployment compensation, Medicare payments and all other Government payments as well.

The lockbox amendment also includes a huge loophole. I call it a mine field. And it could allow Social Security funds to be used for a wide variety of purposes, anything that Congress labels as Social Security reform.

Mr. President, these are code words. They say we are going to lock the door, but we are going to leave it open just a crack or two—something people wouldn't do in their safe deposit box, something they wouldn't do in their homes. We want to leave a couple of catch phrases in here like ''retirement security,'' like ''reform,'' and so that we do not really guarantee that Social Security surpluses are going to be reserved for Social Security beneficiaries.

We had a vote here, 98 to nothing. We said that all Social Security surpluses should be reserved for Social Security recipients. 98 to nothing. But it didn't take long for the conferees on the budget resolution—those from the majority party—we weren't included—to put that vote in the trash basket. They included vague language that would allow Social Security surpluses to be used for, and I quote, ''retirement security.''

Similarly, the language of this amendment includes an escape hatch that will allow Congress to divert Social Security surpluses for anything that Congress labels as Social Security reform.

I heard the distinguished chairman of the Budget Committee say earlier today that much of our surpluses ought to be reserved to give tax cuts to the people. It is not a bad idea. We like tax cuts, targeted tax cuts. But the leading Republican tax proposal, S. 3, would give those in the top one percent, with average incomes of $800,000 a year, a $20,000 tax cut. Meanwhile, some poor guy who works for a living, and his wife, or maybe a single parent who is working out there and making $38,000 a year, is going to get 99 bucks. That is what the Republican leadership has proposed.

So I would say to that $800,000 wage earner: Sorry, buddy, we are not going to give you the $20,000 that you could use to put a downpayment on a yacht or whatever else you want to do.

My conscience doesn't bother me at all when I say that tax cuts ought to be reserved for people who need proper day care for their children or need to help an elderly parent who has special medical problems.

Mr. President, when the Social Security trust fund goes bankrupt in 2034, it will be able to pay only about 70 percent of the promised benefits. Diverting payroll taxes for other uses, as this amendment allows, could make matters much worse. The date of insolvency could be moved up and arrive earlier. And instead of being able to pay only 70 percent of promised benefits, we would be able to pay even less.

The issue here is not whether to establish private savings accounts, as many have suggested. President Clinton has recommended one form of such accounts, his USA accounts. Others have similar ideas.

But when Social Security already is 30 percent short of being able to provide promised benefits to baby boomers, we can't afford to invade its funds for other uses. If we want to establish private accounts, we can use other funds. We shouldn't permit even deeper cuts in guaranteed benefits.

It also is important to understand that this amendment would do nothing to extend the life of Social Security trust funds. That is not just my opinion, it is a fact.

To back that up, I have a letter from Mr. Harry Ballantyne, chief actuary of the Social Security Administration. As Mr. Ballantyne writes, the adoption of this proposal would have no significant effect on the long-term solvency of the program—none.

I ask unanimous consent that a copy of this letter from the chief actuary of the Social Security Administration be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY ADMINISTRATION,
April 19, 1999.

Hon. FRANK R. LAUTENBERG,
U.S. Senate,
Washington, DC.

DEAR SENATOR LAUTENBERG: This letter addresses the potential long-range financial effects on the OASDI program of ''locking away'' the annual increases in the Social Security Trust Funds, as proposed by Republican leaders in the Senate and the House on March 10, 1999. The proposal would require that annual increases in the OASI and DI Trust Funds would be used solely to purchase long-term special issue U.S. government bonds. In addition, the proposal would require that the revenue used for the purchase of these bonds would in turn be used solely for the purpose of reducing Federal debt held by the public. Of course, the net

change in the Federal debt held by the public in any year would also be affected by the size of any on-budget deficit or surplus for that year.

The proposal would not have any significant effect on the long-range solvency of the OASDI program under the intermediate assumptions of the 1999 Trustees Report. Thus, the estimated long-range actuarial deficit of 2.07 percent of taxable payroll and the year of the combined trust funds' exhaustion (2034) would not change. The first year in which estimated outgo will exceed estimated tax income would not be affected and would therefore remain at 2014.

Any plan that reduces the amount of Federal debt held by the public may make later redemption by the Trust Funds of special issue U.S. government bonds easier.

Sincerely,

HARRY C. BALLANTYNE,
Chief Actuary.

Mr. LAUTENBERG. Mr. President, it is critical that Congress act promptly to extend the solvency of Social Security. President Clinton has presented two related proposals that would extend Social Security's life through 2059. Some of my colleagues don't like those proposals. That is fair. But if they do not like his ideas, they should propose some of their own. So far, they haven't done it. And no one should be fooled into believing that this lockbox proposal is an answer.

Finally, the most serious problem with this proposal is that it threatens to lead to a Government default. In the short term, that could damage our Nation's credit standing and increase interest costs.

Treasury Secretary Rubin has written an excellent letter that explains the severity of the risks posed by this proposal. I note that the distinguished Senator from South Carolina already talked about this and has asked that Rubin's letter be printed in the RECORD. It was accepted on a unanimous consent basis. No Senator should vote on the pending amendment until they have read this letter. And it is hard to see how anyone could endorse the amendment after reading that letter.

Unfortunately, this amendment could very well lead to a serious debt crisis in the future. Proposed limits on publicly held debt would be exceeded if current projections of the non-Social Security budget proved too optimistic. And, even if Congress tried in good faith to comply with new public debt limits, those limits could be reached due to changes in the economy, demographic shifts, or a variety of other factors.

Mr. President, the sponsors of the amendment say that they have included a provision to ensure that a recession would not trigger a default. However, that provision won't always work. The provision would only become effective after two quarters of low economic growth. We could be in a deep recession for nearly 7 months before the exemption kicks in. By then, it could be too late. We could already be in default.

Mr. President, our Nation has never defaulted on a debt backed by the full faith and credit of the United States. But this amendment could trigger default based on factors completely beyond our control. That wouldn't just block Social Security and other checks; it could easily lead to a worldwide financial crisis. That could prove catastrophic.

Mr. President, this is crazy. If suddenly the economy slows, revenues decline, or expenditures increase unexpectedly, for any reason, why should we risk the world's economy? It is like forcing the whole world to play a game of economic Russian roulette.

I would note that the Republican chairman of the House Ways and Means Committee, Congressman BILL ARCHER, recognizes the folly of this approach and strongly opposes it. So this shouldn't be a partisan issue. He is not a Democrat. And I hope others on that side of the aisle will also join in opposition. There are other more responsible ways to enforce budget discipline. And that is what we Democrats are proposing.

Senator CONRAD and I have developed an alternative lockbox to protect surpluses for both Social Security and Medicare, and we hope to have an opportunity to present it to the Senate. Our proposal would reserve all Social Security surpluses for Social Security and a portion of other surpluses for Medicare. Our lockbox would be enforced first by requiring 60 votes to invade the lockbox. Then, if Congress raided projected surpluses, other programs would be cut across the board. We think this makes more sense than the potential triggering of a default and a worldwide economic meltdown.

So I will briefly review the main problems with the proposal in front of us.

It does nothing to protect Medicare. It allows Congress to spend money needed for Medicare on tax breaks for the wealthy.

Second, it threatens Social Security. It could block Social Security checks when the economy performs worse than expected. And it includes a trap door that allows Social Security taxes to be invaded for purposes other than Social Security benefits, like risky new privatization schemes.

Finally, the amendment threatens a default on debt backed by the full faith and credit of our country. This could increase interest costs immediately, and ultimately lead to a worldwide economic catastrophe.

For all of these reasons, Mr. President, I hope my colleagues will recognize the serious problems with this amendment, and that we will be given an opportunity to offer amendments to improve it.

Unfortunately, right now, we Democrats—45 of us—are being prevented from offering amendments that we think are needed to protect Social Security and Medicare beneficiaries. We are prohibited by a trick called filling the amendment tree. This prevents us from offering amendments, under the Senate rules.

Mr. President, I hope my colleagues will give us the opportunity to offer amendments. We need a lockbox for Social Security. But it should be a real lockbox, without an escape hatch. It should protect Medicare as well. And it should be designed in a way that doesn't pose a threat of a Government default and a worldwide economic crisis.

Mr. President, I hope that we can come together on an understanding—that the 98 Senators present last week voted on—that Social Security surpluses should be reserved exclusively—no ifs, ands, or buts—for Social Security beneficiaries. No loopholes. No escape hatches. No little crack in the door of the lockbox.

I hope our colleagues will think seriously about this when they vote. And I want the American public to take note of what is going on here. They are the final arbiters of whether or not we are doing the right thing.

Mr. President, I thank the Chair for his courtesy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. 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.

CLOTURE MOTION

Mr. ALLARD. Mr. President, I send a cloture motion to the desk to the pending lockbox amendment, No. 254.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 254 to Calendar No. 89, S. 557, a bill to provide guidance for the designation of emergencies as part of the budget process:

TRENT LOTT, PETE V. DOMENICI, BEN NIGHTHORSE CAMPBELL, JEFF SESSIONS, KAY BAILEY HUTCHISON, CRAIG THOMAS, SLADE GORTON, CHUCK HAGEL, SPENCER ABRAHAM, THAD COCHRAN, PAT ROBERTS, CONRAD BURNS, CHRISTOPHER S. BOND, JOHN ASHCROFT, JON KYL, and MIKE DEWINE.

Mr. ALLARD. Mr. President, on behalf of the majority leader, for the information of all Senators, this cloture vote will occur on Thursday. The majority leader will announce to the Members the time of the vote later today.

CALL OF THE ROLL

Mr. ALLARD. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESS NEEDS TO MOVE FORWARD ON A RESPONSIBLE TITLE BRANDING MEASURE

Mr. LOTT. Mr. President, a few weeks ago I reintroduced the National Salvage Motor Vehicle Consumer Protection Act, S. 655. This bipartisan bill has several cosponsors including Senator BREAUX. It is similar to the measure that Senator Ford and I coauthored during the 105th Congress.

This responsible legislation is important to used car buyers and motorists across the country because it will help curtail motor vehicle titling fraud. It does so by providing states with incentives to adopt minimal uniform definitions and standards that promote greater disclosure to potential used vehicle purchasers.

During the last Congress, this legislation received the formal support of over 55 of our colleagues from both sides of the aisle and a modified version passed the House of Representatives by an overwhelming majority last October.

Mr. President, every year used car buyers throughout the nation are cheated by those who pass off rebuilt salvage vehicles as undamaged. These consumers are never notified that the used vehicle they purchased was totaled and subsequently rebuilt. Often times, they find out only when the supposedly undamaged car or truck they bought is taken in for repair. It is at this point that they find their vehicle has been rebuilt and that it may pose a safety hazard. One where the cost of repair far exceeds the vehicle's worth or which cannot be fixed for safe operation

Today, used car buyers and automobile dealers are paying over $4 billion dollars annually for vehicles that have been rebuilt—many of which are virtually worthless. It is happening in Mississippi and in your own states. Title laundering is a growing problem. It must be stopped.

Congress recognized the primary reason that millions of structurally unsafe vehicles were being placed back on America's roads and highways was due to the lack of uniformity in state titling rules. That is why the 103rd Congress passed the Anti-Car Theft Act of 1992 which required the Department of Transportation (DOT) to establish a task force, the Motor Vehicle Titling, Registration and Salvage Advisory Committee, to study problems related to motor vehicle fraud and theft. The Act directed the Committee to include representatives from several cabinet agencies, police chiefs and municipal auto theft investigators, State motor vehicle officials, industry and insurance representatives, recyclers, salvage yard operators, and scrap processors. Their primary function was to develop reasonable and balanced recommendations that would protect consumers.

The Salvage Advisory Committee was formed in 1993. It was chaired by the Chief of the Odometer Fraud Staff for the National Highway Traffic Safety Administration. It included the Justice Department's Assistant Director for Consumer Litigation and a senior attorney from the Criminal Justice Division. It also included several Secretaries of State, State DMV Directors and other stakeholders. These are the experts on the front line who deal with titling issues on a day-to-day basis that Congress chose for the Committee. The Salvage Advisory Committee deliberated for almost a year and issued its findings in February 1994. The Committee's report identified a series of practical, well thought out solutions to address the issue of title washing. It included the establishment of national uniform titling definitions and standards for salvage, rebuilt salvage, flood, and non-repairable passenger vehicles.

This esteemed group knew what would work and what would not. They did not recommend a complex, overly burdensome titling and registration scheme. Instead, they identified a few definitions that should be standardized and minimal procedures that should be adopted by states.

The task force recommended that a passenger vehicle that experiences damage exceeding 75% of its pre-accident value be designated as ''salvage.''

It also recommended that salvage vehicles that have been repaired for safe operation be branded ''rebuilt salvage,'' have an inspection to determine whether stolen parts were used to fix the vehicle, and have a decal permanently affixed to the driver's door jamb indicating the vehicle's history.

The Salvage Committee identified a nonrepairable vehicle as a passenger motor vehicle that is incapable of safe operation for use on roads or highways and which has no resale value except as a source of parts or scrap.

Another recommendation included the carrying forward of all brands on new title documents so that the terms used in one state would be identified on the titles of other states where the vehicle is re-registered.

Mr. President, Senator Ford and I simply authored a bill during the last Congress that codified these task force recommendations.

The bill also included a slightly modified definition of flood vehicles. One that focuses on the electrical and mechanical damage resulting from excessive water. The task force originally recommended that all passenger vehicles submerged in water that has reached over the door sill or has entered the passenger or trunk damage be designated as a flood vehicle.

Upon further reflection, and actual real world experience, the flood definition in this legislation was modified to brand only those vehicles that suffer debilitating damage instead of simply cosmetic damage, such as wet carpeting, that would have occurred under the original flood definition. The reason for this change was to ensure that a consumer's vehicle is not branded as a flood vehicle merely because its floor mats got wet. It makes no sense to brand a car or a truck as a flood vehicle, causing a significant and unnecessary devaluation of its worth, when the vehicle's operating functions and electrical, mechanical or computerized components are not damaged by water. This legislation also improves upon the task force's recommendations by including any vehicle acquired by an insurer as part of a water damage settlement.

S. 655, the National Salvage Motor Vehicle Consumer Protection Act retains these important provisions and also includes additional technical corrections offered by state Attorneys General, consumer groups, and the U.S. Department of Transportation. Modifications that improve the legislation but do not take it in a completely different direction than proposed by the Salvage Advisory Committee. The changes I have made are consistent with the Supreme Court's decision in New York v. United States, 505 U.S. 144. The bill now includes the complete range of modifications that states are willing to make to their own titling rules and procedures. To push the envelope further by advancing prescriptive federal titling standards would seriously hinder Congress' efforts to achieve full state participation. Stricter titling requirements, those that create unnecessary and onerous procedures, additional paperwork, and more bureaucracy may also impose an unfunded mandate on states.

Mr. President, my colleagues and I believe that it is time to act upon the task force's now five-year old recommendations by enacting the National Salvage Motor Vehicle Consumer Protection Act. A number of hearings have been held on this issue in both the House of Representatives and the Senate. All with the same conclusion—title washing is a serious problem affecting the wallets of used car buyers and the safety of motorists nationwide. Since the Salvage Advisory Committee issued its report in 1994, consumers have lost as much as $20 billion and as many as 8 million more potentially structurally unsafe vehicles have been placed back on our nation's roads and highways. Some of the unsafe salvage vehicles stealthfully returned to the road were previous Department of Transportation crash test cars. These are cars that were deliberately wrecked, then rebuilt and sold to unsuspecting buyers across America.

The National Salvage Motor Vehicle Consumer Protection Act would help put unscrupulous rebuilders out of business. It is a workable and well accepted legislative solution. It establishes a rational voluntary uniform titling regime that state Motor Vehicle administrators support. The bill is also supported by law enforcement agencies, consumers, and the automobile and insurance industries because it is a common sense approach that will effectively curtail title laundering.

It is a program that state legislatures will adopt because it is a win-win

for consumers, states, and industry. That is key. Congress should not spin its wheels and push for a burdensome and overly complex titling scheme that most states will reject even if they are eligible to receive offsetting federal funding or are penalized in some way for not adopting such a scheme. The only winners under such a scenario are the thieves and charlatans who will continue to take advantage of state inconsistencies by washing the titles of severely damaged vehicles.

Instead of being a federal mandate, The National Salvage Motor Vehicle Consumer Protection Act provides participating states with a new incentive grant to adopt uniform titling and registration standards. These standards will protect the used car buyers in their states from unknowingly purchasing totaled and subsequently rebuilt vehicles. The authorized funding can be used by states to issue new titles, establish and administer vehicle theft or safety inspections, enforce titling requirements, and for other related purposes.

Mr. President, since this is a voluntary program, no state will be penalized for non participation.

Mr. President, this particular approach was recommended by the Department of Transportation. It was a sound recommendation and I accepted it.

This modification is good public policy since it no longer links state participation with federal seed money for states to participate in the National Motor Vehicle Title Information System (NMVTIS).

NMVTIS is beneficial to states because it will allow them to instantaneously share and retrieve titling and registration information with each other. The effectiveness of NMVTIS depends on the total number of states that choose to participate in the system. Thus, it is important to have the maximum number of states using NMVTIS whether or not they utilize common terms. The Congressional Budget Office concluded in 1997 that a penalty-based titling branding scheme which denies states funding for NMVTIS would significantly reduce the number of states that choose to utilize the system. This, in turn, would severely undermine the intent of the 103rd Congress which created NMVTIS and would jeopardize the overall effectiveness of a nationwide titling information system.

I think it is also important to note that the National Salvage Motor Vehicle Consumer Protection Act does not recommend definitions or standards that none of the 50 states currently have in place. Instead, this legislation accepts, codifies, and in some cases improves upon the recommendations put forward by a Congressionally mandated task force. A commission created by a Democratically controlled Congress to specifically address the issue of title fraud.

The National Salvage Motor Vehicle Consumer Protection Act goes even further in the direction of promoting disclosure by requiring a written disclosure statement be provided to purchasers of rebuilt salvage vehicles. It permits states to use terms that are synonymous with those identified in the bill. And, it expressly allows states to adopt even greater disclosure standards than are provided for in the legislation. In the case of salvage vehicles, it lets states adopt an even lower threshold than 75% if they so choose. It does not, however, establish a minimum baseline of 65%, a threshold that no state in the union has today. None. The 65% threshold would negatively affect tens of millions of car owners with low value vehicles. A proposal advanced by some that would unnecessarily brand for life the vehicles of low income drivers involved in minor accidents such as fender-benders.

There are similar counter-productive proposals that would brand vehicles that have only slight cosmetic and structural damage such as a dented front end and a busted headlight. Who benefits from this? Who will be harmed by this? I want answers to these questions. America's motor vehicle owners deserve answers to these questions.

I think my colleagues will agree that Congress should not force states into enacting standards that adversely impact consumers or titling provisions that not even one state has chosen to adopt. Remember, these well intentioned but impractical, confusing, and unwise proposals have been around for many years. States, as well as the task force, expressly rejected them. No one who works on vehicle titling issues wants them.

Let me say again that the National Salvage Motor Vehicle Consumer Protection Act creates a voluntary federal titling program. It creates minimal national standards while offering participating states the flexibility they need and want to adopt additional disclosure requirements and more stringent provisions. It provides appropriate vehicle titling terms and definitions that do not unnecessarily devalue vehicles or cause repairable automobiles to be junked. The bill focuses on pre-purchase disclosure, helps motorists by requiring the tracking of salvage vehicle VIN numbers, continues consumers' ability to pursue private rights of actions available under state law, and allows states to adopt new civil and criminal penalties. And, it has widespread support.

The National Salvage Motor Vehicle Consumer Protection Act is the right legislative solution to combat title fraud. It solves the problem without creating new problems and new headaches for consumers, for states, and for industry. It is time for Congress to pass this important measure.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 19, 1999, the federal debt stood at $5,624,235,766,178.82 (Five trillion, six hundred twenty-four billion, two hundred thirty-five million, seven hundred sixty-six thousand, one hundred seventy-eight dollars and eighty-two cents).

Five years ago, April 19, 1994, the federal debt stood at $4,565,951,000,000 (Four trillion, five hundred sixty-five billion, nine hundred fifty-one million).

Ten years ago, April 19, 1989, the federal debt stood at $2,776,338,000,000 (Two trillion, seven hundred seventy-six billion, three hundred thirty-eight million).

Fifteen years ago, April 19, 1984, the federal debt stood at $1,487,346,000,000 (One trillion, four hundred eighty-seven billion, three hundred forty-six million).

Twenty-five years ago, April 19, 1974, the federal debt stood at $470,921,000,000 (Four hundred seventy billion, nine hundred twenty-one million) which reflects a debt increase of more than $5 trillion—$5,153,314,766,178.82 (Five trillion, one hundred fifty-three billion, three hundred fourteen million, seven hundred sixty-six thousand, one hundred seventy-eight dollars and eighty-two cents) during the past 25 years.

WATER RESOURCES DEVELOPMENT ACT OF 1999

Mr. KERRY. Mr. President, I rise to discuss the Water Resources Development Act of 1999. This bill has passed the Senate under unanimous consent thanks to the leadership of its sponsor Senator WARNER, and Senator CHAFEE, Chair of the Environment and Public Works Committee and Senator BAUCUS, the ranking member on the Committee. I want to thank the Senators for their work.

Included in this legislation is a request that the Army Corps of Engineers evaluate plans to alleviate flooding and make other improvements to the Muddy River, which runs through Brookline and Boston, Massachusetts. This is an urgently needed project.

The Muddy River flows through mostly urban-residential areas in Brookline and Boston before emptying into the Charles River. The River has flooded several times in the past, with two particularly severe floods in 1996 and 1998. The 1996 flood was a presidentially declared disaster. It lasted three days, submerged parts of Brookline and Boston in knee-deep water, flooded underground Massachusetts Bay Transportation Authority stations and halted commuter train traffic, and extensively damaged homes and businesses. Massachusetts Governor Paul Cellucci estimates that the cost of these two floods exceeded $100,000,000. Preventing future damage from floods is a top priority for the Town of Brookline, the City of Boston and the State of Massachusetts, and each has pledged to do their part to find a solution.

Specifically, the Water Resources Development Act of 1999 asks the Secretary of the Army to evaluate a study called the "Emerald Necklace Environmental Improvement Master Plan:

Phase I Muddy River Flood Control, Water Quality and Environmental Enhancement'', and to report its findings to Congress by December 31, 1999. The Plan was commissioned by the Boston Parks and Recreation Department and issued in January 1999. It presents a solution that has broad community support. Residents and businesses joined with the Town of Brookline, City of Boston, State of Massachusetts and the federal government to develop this plan. It draws on research by the Army Corps of Engineers, the Federal Emergency Management Agency and others to recommend comprehensive improvements to end destructive flooding, enhance water quality and protect habitat. I believe this project embodies the kind of citizen-government partnership that is necessary for an efficient and successful use of federal resources.

The Massachusetts delegation, the Town of Brookline, the City of Boston and the Commonwealth of Massachusetts all look forward to working with the Army Corps in Boston and Washington over the coming months to complete this evaluation by the end of the year, and to move ahead with the work of ending these destructive floods and making other needed improvements.

Mr. LEVIN. Mr. President, I am pleased that the Water Resources Development Act of 1999, passed by the Senate yesterday, incorporates so many projects of importance to the Great Lakes region. I am especially pleased that so many of these projects serve to reinforce the pre-eminent leadership of the Chicago regional office in meeting the environmental responsibilities assigned to the Army Corps of Engineers in past reauthorizations of the Water Resources Development Act.

Mr. President, the Water Resources Development Act of 1999 incorporates a very important matter which I have considered a priority for some time. The subject is contaminated sediments and they are a potential threat to public and environmental health across the country. Persistent, bioaccumulative toxic substances in contaminated sediment can poison the food chain, making fish and shellfish unsafe for humans and wildlife to eat. Contamination of sediments can also interfere with recreational uses and increase the costs of and time needed for navigational dredging and subsequent disposal of dredged material.

Unfortunately, the resources of the federal government have not been brought to bear on these problems in a well coordinated fashion. Section 222 of this Act will require the Environmental Protection Agency and Army Corps of Engineers to finally activate the National Contaminated Sediment Task Force that was mandated by the Water Resources Development Act of 1992. I am hopeful that convening this Task Force will encourage the Federal agencies to work together to combat this problem and create greater public awareness of the need to address contaminated sediments. We also need a better understanding of the quantities and sources of sediment contamination, to prevent recontamination and minimize the recurrence of these costs and impacts, and to get a handle on the extent of the public health threat. To that end, the Act requires the Task Force to report on the status of remedial action on contaminated sediments around the country, including a description of the authorities used in cleanup, the nature and sources of sediment contamination, the methods for determining the need for cleanup, the fate of dredged materials and barriers to swift remediation.

Mr. President, as the Democratic Co-Chair of the Senate Great Lakes Task Force, I would like to take this opportunity to highlight several specific programs included in this bill which were developed through the bipartisan and bicameral cooperation of the members of this Task Force. Extension of cost-sharing rules to allow non-traditional partners such as non-profit organizations to partner with the Army Corps of Engineers on restoration activities will greatly expand the potential uses of these authorities in the Great Lakes basin (Sections 205 and 206). Section 224(2) will enhance the authority of the Corps to work cooperatively with the Great Lakes Fishery Commission to make more efficient use of Corps' engineering expertise in constructing barriers and traps to reduce these aggressive invaders. Section 225 authorizes a special study on the watershed of the western basin of Lake Erie to enhance the integration of disparate elements of the Corps' program in this region. Section 223, the Great Lakes Basin Program incorporates three high-profile elements critical to the region as a whole which were developed through extensive negotiations among Task Force members at the end of the 105th Congress.

The first element of the Great Lakes Basin Program (Section 223a) directs the Army Corps of Engineers to develop a framework for their activities in the Great Lakes basin to be updated biennially. Many Army Corps of Engineers divisions have developed and use such strategic plans. Among other strengths, such plans allow greater programatic coordination—especially among projects conducted for such disparate purposes as navigation, environmental restoration, water quality, and flood control. Development of such a strategic plan for the Great Lakes basin has never been more important than at present, given the recent restructuring of the Army Corps of Engineers which leaves the Great Lakes and Ohio River division as the only Army Corps of Engineers division maintaining two regional offices (Chicago and Cincinnati).

The second element of the Great Lakes Basin Program (Section 223b) directs the Army Corps of Engineers to inventory existing information relevant to the Great Lakes biohydrological system and sustainable water use management. The Corps is to report to Congress, as well as to the International Joint Commission and the eight Great Lakes states, on the results of this inventory and recommendations on how to improve the information base. This information is crucial to the ongoing debate regarding attempts to export or divert Great Lakes surface and ground water out of the basin. The closely related provision, contained in subsection (e), on water use activities and policies, allows the Secretary to provide technical assistance to the Great Lakes states in development of interstate guidelines to improve consistency and efficiency of State-level water use activities and policies.

The third major element of the Great Lakes Basin Program (Section 223c) directs the Army Corps of Engineers to submit to Congress a report based on existing information detailing the economic benefits of recreational boating in the Great Lakes basin. As many of my colleagues may know, despite Congress' repeated objections, consecutive Administrations have unwisely sought to limit the Corps' role in dredging recreational harbors. Clearly these harbors' value to the regional economy should be recognized in the cost-benefit analyses used in making dredging decisions. For the Great Lakes region, dredging of these recreational harbors will be of increasing importance in the coming year as Great Lakes water levels decline from the high of the past several years.

Mr. President, I also wish to take a moment in closing to highlight the several specific projects included in the recently passed bill which will benefit my home state of Michigan. They include an Army Corps feasibility study of improvements to the Detroit River waterfront as part of the ongoing revitalization of the area. The Corps will prepare studies for flood control projects in St. Clair Shores and along the Saginaw River in Bay City. The Corps will consider reconstruction of the Hamilton Dam flood control project and review its denial of the city of Charlevoix's request for reimbursement of construction costs incurred in building a new revetment connection to the Federal navigation project at Charlevoix Harbor. Finally, the bill includes a unique provision which will allow the use of materials dredged from Toledo Harbor in Ohio for environmental restoration on the Woodtick Peninsula in Michigan.

Mr. President, I appreciate the hard work of my colleagues on the Environment and Public Works Committee in incorporating these important provisions into this bill and look forward to working with them to get these important provisions signed into law.

THE LESSONS OF BABY HOPE

Mr. DEWINE. Mr. President, one of the key virtues of living in a free society such as our own is that it's harder

for injustice to remain hidden and unreported. Unlike Communist and fascist countries—countries where the government can control access to information, and cover up genocide and war crimes for years—in our country, people are allowed to stand up and tell the truth. They can reveal inconvenient and unpleasant facts about moral evils that are taking place in our society.

To speak the truth—to distinguish right from wrong, you don't have to be a President, or a Senator, or a famous human rights crusader like Martin Luther King, Jr. You can be anybody. You can be a medical technician in Cincinnati, OH.

Mr. President, let me tell you a story about how—very recently, in my home State of Ohio—some disturbing truths were revealed that many Americans simply wish would go away.

On April 6, a young woman went into an abortion clinic in Montgomery County, OH, to undergo a procedure known as partial-birth abortion. This is a procedure that usually takes place behind closed doors, where it can be ignored, its moral status left unquestioned.

But this particular procedure was different. In this procedure, on April 6, things did not go as planned. Here's what happened.

The Dayton, OH, abortionist, Dr. Martin Haskell, started a procedure to dilate her cervix, so the child could eventually be removed and killed. He applied seaweed to start the procedure. He then sent her home—because this procedure usually takes 2 or 3 days. In fact, the patient is supposed to return on the second day for a further application of seaweed—and then come back a third time for the actual partial-birth abortion—a 3-day procedure.

So the woman went home to Cincinnati, expecting to return to Dayton and complete the procedure in 2 or 3 days. But her cervix dilated far too quickly. Shortly after midnight on the first day, after experiencing severe stomach pains, she was admitted to Bethesda North Hospital in Cincinnati.

The child was born. After 3 hours and 8 minutes, this little girl died.

The cause of death was listed on the death certificate as ''prematurity secondary to induced abortion.''

True enough, Mr. President. But also on the death certificate is a space for ''Method of death.'' And it says, in the case of this child, ''Method of death: natural.''

I do not mean to quarrel, talk about whether this is true in the technical sense. But if you look at the events that led up to her death, you'll see that there was really nothing natural about them at all.

The medical technician who held that little girl for the 3 hours and 8 minutes of her short life named her Baby Hope. Baby Hope did not die of natural causes. She was the victim of a barbaric procedure that is opposed by the vast majority of the American people. A procedure that has twice been banned by act of Congress—only to see the ban repeatedly overturned by a Presidential veto.

The death of Baby Hope did not take place behind the closed doors of an abortion clinic. It took place in public—in a hospital dedicated to saving lives, not taking them. Her death reminds us of the brutal reality and tragedy of what partial-birth abortion really is.

When we voted to ban partial-birth abortions, we talked about this procedure in graphic detail. The public reaction to this disclosure—the disclosure of what partial-birth abortion really is—was loud and it was decisive. And there is a very good reason for this. The procedure is barbaric.

One of the first questions people ask is ''why?''

''Why do they do this procedure? Is it really necessary? Why do we allow this to happen?''

Dr. C. Everett Koop speaks for the consensus of the medical profession when he says this is never a medically necessary procedure. Even Martin Haskell—the abortionist in the Baby Hope case—has admitted that at least 80 percent of the partial-birth abortions he performs are elective.

The facts are clear. Partial-birth abortion is not that rare a procedure. What is rare is that we—as a society—saw it happen. It happened by surprise at a regular hospital where it wasn't supposed to happen.

Baby Hope was not supposed to die in the arms of a medical technician. But she did. And this little baby cannot be easily ignored. We cannot turn our back on this reality.

This procedure is not limited to mothers and fetuses who are in danger. It is performed on healthy women—and healthy babies—all the time.

The goal of a partial-birth abortion is not to protect somebody's health but to kill a child. That is what the abortionist wants to do.

Dr. Haskell himself has said as much. In an interview with the American Medical News, he said:

> You could dilate further and deliver the baby alive but that's really not the point.
>
> The point is, you are attempting to do an abortion, and that is the goal of your work, is to complete an abortion, not to see how do I manipulate the situation so I get a live birth instead.

Now Dr. Haskell has admitted what the reality is. Why don't we?

Again, let's hear Dr. Haskell in his own words, a man who performed this abortion on Baby Hope. This is what Dr. Haskell says about this ''procedure.''

These are Dr. Haskell's words:

> I just kept on doing the D&E's [dilation and extraction] because that is what I was comfortable with, up until 24 weeks. But they were very tough. Sometimes it was a 45-minute operation. I noticed some of the later D&Es were very, very easy. So I asked myself why can't they all happen this way. You see the easy ones would have a foot length presentation, you'd reach up and grab the foot of the fetus, pull the fetus down and the head would hang up and then you would collapse the head and take it out. It was easy.

It was easy, Mr. President. Easy for Dr. Haskell. He does not say it was easy for the mother, and he certainly does not say it was easy for the baby. I suspect he doesn't care. His goal is to perform abortions. But is he the person we are going to trust to decide when abortions are necessary? Dr. Haskell has a production line going in Dayton, OH. Nothing is going to stop him from meeting his quota.

Dr. Haskell continues. Again, the words of Dr. Haskell:

> At first, I would reach around trying to identify a lower extremity blindly with the tip of my instrument. I'd get it right about 30–50 percent of the time. Then I said, ''Well, gee, if I just put the ultrasound up there, I could see it all and I wouldn't have to feel around for it.'' I did that and sure enough, I found it 99 percent of the time. Kind of serendipity.

Serendipity, Mr. President.

Let me conclude. We need to ask ourselves, what does our toleration in this country of this ''procedure'' say about us as a nation? Where do we draw the line? At what point do we finally stop saying, ''Well, I don't really like this, but it doesn't really matter to me, so I will put up with it''? When do we stop saying that as a country, Mr. President? At what point do we say, ''Unless we stop this from happening, we cannot justly call ourselves a civilized Nation''?

When you come right down to it, America's moral anesthetic is wearing off. It really is. We know what is going on behind the curtain, and we cannot wish that knowledge away. We have to face it, and we have to do what is right.

This week, some of my colleagues and I will be reintroducing the Partial-Birth Abortion Ban Act. Twice in the last 3 years, Congress has passed this legislation with strong bipartisan support, only to see it fall victim to a Presidential veto. Once again, I am confident Congress will do the right thing and pass this very important legislation. But that is not enough. Passing this legislation in Congress is not enough. For lives to be saved, the bill must actually become law.

Mr. President, if something happens behind the iron curtain of an abortion clinic, it is easier to pretend it simply did not happen. But the death of Baby Hope in Cincinnati, OH, in the last few days has torn that curtain, revealing the truth of this barbaric procedure.

Let people not ask about us 50 years from now: How could they not have known? or ask: Why didn't they do anything? because, Mr. President, the fact is, we do know and we must take action.

I yield the floor.

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 sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON FEDERAL CLIMATE CHANGE EXPENDITURES—MESSAGE FROM THE PRESIDENT—PM 19

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 Foreign Relations.

To the Congress of the United States:

In accordance with section 573 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), I transmit herewith an account of all Federal agency climate change programs and activities. This report includes both domestic and international programs and activities related to climate change and contains data on both spending and performance goals.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 20, 1999*.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2622. A communication from the Acting Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, a draft of proposed legislation to extend the authorization for the Historic Preservation Fund; to the Committee on Energy and Natural Resources.

EC–2623. A communication from the Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, pursuant to law, a report relative to the National Natural Landmarks Program for fiscal year 1998; to the Committee on Energy and Natural Resources.

EC–2624. A communication from the Acting Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, a rule entitled ''Acquisition Regulation; Performance Guarantees'' (RIN1991–AB44) received on April 9, 1999; to the Committee on Energy and Natural Resources.

EC–2625. A communication from the Acting Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, a rule entitled ''Acquisition Letter; Foreign Ownership Control or Influence'' (RINAL99–03) received on April 9, 1999; to the Committee on Energy and Natural Resources.

EC–2626. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the rule entitled ''Maryland Regulatory Program'' (RINSPATS NO. MD–045–FOR) received on April 9, 1999; to the Committee on Energy and Natural Resources.

EC–2627. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the rule entitled ''Ohio Regulatory Program'' (RINSPATS NO. OH–244–FOR) received on April 9, 1999; to the Committee on Energy and Natural Resources.

EC–2628. A communication from the Principal Deputy Assistant Secretary of Veterans' Affairs for Congressional Affairs, transmitting, a draft of proposed legislation to amend title 38, United States Code, to authorize VA to furnish the Department of Defense with drug and alcohol treatment resources; to the Committee on Veterans' Affairs.

EC–2629. A communication from the Under Secretary of Defense for Policy, transmitting, pursuant to law, a report on Russian tactical nuclear weapons; to the Committee on Armed Services.

EC–2630. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to unit cost thresholds; to the Committee on Armed Services.

EC–2631. A communication from the Secretary of Defense, transmitting, two reports relative to retirements; to the Committee on Armed Services.

EC–2632. A communication from the Deputy Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report relative to a multi-function cost comparison at the Robins Air Force Base, Georgia; to the Committee on Armed Services.

EC–2633. A communication from the Administrator of the Panama Canal Commission, transmitting, a draft of proposed legislation entitled ''The Panama Canal Commission Authorization Act for Fiscal Year 2000''; to the Committee on Armed Services.

EC–2634. A communication from the Assistant Secretary of Defense for Health Affairs, transmitting, pursuant to law, a notice relative to a report concerning external data collection and internal coordination; to the Committee on Armed Services.

EC–2635. A communication from the Assistant Secretary of Defense for Health Affairs, transmitting, pursuant to law, a report on the Implementation of Enrollment-based Capitation for Funding for Military Treatment Facilities; to the Committee on Armed Services.

EC–2636. A communication from the Assistant Secretary of Defense for Health Affairs, transmitting, pursuant to law, the interim Tricare Evaluation report; to the Committee on Armed Services.

EC–2637. A communication from the Director of Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, a report relative to the vacant position of Assistant Secretary of the Air Force (Acquisition); to the Committee on Armed Services.

EC–2638. A communication from the Director of Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, a report relative to the vacant position of Assistant Secretary of Defense (Special Operations and Low Intensity Conflict); to the Committee on Armed Services.

EC–2639. A communication from the Secretary of Defense, transmitting, pursuant to law, a report on proposed obligations for weapons destruction and non-proliferation in the former Soviet Union; to the Committee on Armed Services.

EC–2640. A communication from the Secretary of Defense, transmitting, pursuant to law, the report on the Cooperative Threat Reduction Program Plan for fiscal year 1998; to the Committee on Armed Services.

EC–2641. A communication from the Chairman of the National Endowment for the Arts and Member of the Federal Council on the Arts and the Humanities, transmitting, pursuant to law, the annual report on the Arts and Artifacts Indemnity Program for fiscal year 1998; to the Committee on Health, Education, Labor, and Pensions.

EC–2642. A communication from the Secretary of Defense, transmitting, a report relative to a retirement; to the Committee on Armed Services.

EC–2643. A communication from the Secretary of Defense, transmitting, pursuant to law, reports relative to contingent liabilities; to the Committee on Armed Services.

EC–2644. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to general and flag officers; to the Committee on Armed Services.

EC–2645. A communication from the Secretary of Energy, transmitting, a draft of proposed legislation entitled ''The Department of Energy National Security Programs Authorization Act for Fiscal Years 2000 and 2001''; to the Committee on Armed Services.

EC–2646. A communication from the Acting General Counsel of the Department of Defense, transmitting, drafts of proposed legislation relative to various management concerns of the Department of Defense; to the Committee on Armed Services.

EC–2647. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation entitled ''The Defense Production Act Amendments of 1999''; to the Committee on Banking, Housing, and Urban Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated.

POM–35. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania; to the Committee on Appropriations.

HOUSE RESOLUTION NO. 87

Whereas, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193, 110 Stat. 2105) eliminated the state-Federal match system under the AFDC program, replacing it with a new block grant program called Temporary Assistance to Needy Families (TANF); and

Whereas, The TANF program awarded states considerable flexibility to design and finance new programs; and

Whereas, Under TANF, states receive a fixed amount of Federal money each fiscal year which has already been calculated into future budget considerations; and

Whereas, The provision approved March 4, 1999, by the Senate Appropriations Committee would prevent states from spending a portion of their TANF grants and would break the welfare reform agreement brokered with the Governors; and

Whereas, The Appropriations Committee, acting on incomplete data, decided that states will not need $350 million of their welfare grants in the coming years, blocking Pennsylvania from using over $28 million of its welfare dollars before October 2001; and

Whereas, In Pennsylvania, every dollar of our TANF grant is being reserved for the future needs of welfare families in this Commonwealth; and

Whereas, Under a separate program administered by the United States Department of Labor, states appropriated money for the match are required to draw down Welfare-to-Work funds; and

Whereas, The Welfare-to-Work program is separate from TANF and is focused on employing those with the greatest barriers to self-sufficiency; and

Whereas, Welfare reform is working in Pennsylvania because we are investing in services that help people move from welfare to work; and

Whereas, TANF funds are essential to the goals of moving recipients into work; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialized the Senate of the United States to honor its welfare reform agreement with the Governors by removing from the supplemental appropriations bill the $350 million offset from the TANF program before the bill goes to the Senate floor; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of the Senate of the United States and to the members of the Senate from Pennsylvania.

POM–36. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania; to the Committee on Finance.

HOUSE RESOLUTION NO. 41

Whereas, In 1994 the states initiated the first lawsuits based on violations of state law by the tobacco industry; and

Whereas, The states, through leadership and years of commitment to pursuing lawsuits, achieved a comprehensive settlement with the tobacco industry; and

Whereas, After bearing all of the risks and expenses in the negotiations and litigation necessary to proceed with their lawsuit, a settlement was won by the states without any assistance from the Congress of the United States or the Federal Government; and

Whereas, On November 23, 1998, the states' Attorneys General and the tobacco companies announced a two-prong agreement focusing on advertising, marketing and lobbying and on monetary payments which the companies will make to the states; and

Whereas, The states' Attorneys General carefully crafted the tobacco agreement to reflect only state costs; and

Whereas, Medicaid costs were neither a major issue in negotiating the settlement nor an item mentioned in the final agreement; and

Whereas, The Federal Government is not entitled to take away from the states any of the funds negotiated on their behalf as a result of state lawsuits; and

Whereas, The Federal Government can initiate its own lawsuit or settlement with the tobacco industry; and

Whereas, The states are entitled to all of the funds awarded to them in the tobacco settlement agreement without Federal seizure; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Pennsylvania congressional delegation to support and pass legislation protecting the states from Federal seizure of tobacco settlement funds by the Secretary of Health and Human Services of the United States as an overpayment under the Federal Medicaid program by amending section 1903(d)(3) of the Social Security Act (49 Stat. 620, 42 U.S.C. §1396b(d)(3)), specifically including S. 346 (105TH Congress) and H.R. 351 (105TH Congress); and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

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. MCCAIN (for himself, Mr. FRIST, Mr. BURNS, Mr. BREAUX, and Mr. LOTT):

S. 832. A bill to extend the commercial space launch damage indemnification provisions of section 70113 of title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

By Mr. FRIST (for himself, Mr. KENNEDY, Mr. JEFFORDS, and Mr. BINGAMAN):

S. 833. A bill to make technical corrections to the Health Professions Education Partnerships Act of 1998 with respect to the Health Education Assistance Loan Program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CAMPBELL (for himself and Mr. SESSIONS):

S. 834. A bill to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes; to the Committee on Foreign Relations.

By Mr. CHAFEE (for himself, Mr. BREAUX, Mr. AKAKA, Mrs. BOXER, Mr. DODD, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. MACK, Mr. MOYNIHAN, Mrs. MURRAY, Mr. REED, Mr. ROBB, Mr. SARBANES, and Mr. WARNER):

S. 835. A bill to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself, Mr. GRAHAM, Mr. COCHRAN, and Mr. ROBB):

S. 836. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group health plans and health insurance issuers provide women with adequate access to providers of obstetric and gynecological services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for himself, Mr. MOYNIHAN, Mr. LIEBERMAN, and Mr. MCCAIN):

S. 837. A bill to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DOMENICI:

S. 838. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

By Mr. KERREY (for himself, Mr. HARKIN, Mr. DASCHLE, Mr. CONRAD, and Mr. JOHNSON):

S. 839. A bill to restore and improve the farmer owned reserve program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY (for himself, Mr. TORRICELLI, and Mr. LEAHY):

S. 840. A bill to amend title 11, United States Code, to provide for health care and employee benefits, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. ROCKEFELLER, and Mr. WELLSTONE):

S. 841. A bill to amend title XVIII of the Social Security Act to provide for coverage of outpatient prescription drugs under the medicare program; to the Committee on Finance.

By Mr. SANTORUM:

S. 842. A bill to limit the civil liability of business entities that donate equipment to nonprofit organizations; to the Committee on the Judiciary.

S. 843. A bill to limit the civil liability of business entities that provide facility tours; to the Committee on the Judiciary.

S. 844. A bill to limit the civil liability of business entities that make available to a nonprofit organization the use of a motor vehicle or aircraft; to the Committee on the Judiciary.

S. 845. A bill to limit the civil liability of business entities providing use of facilities to nonprofit organizations; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. BIDEN, Mr. HAGEL, Mr. LIEBERMAN, Mr. COCHRAN, Mr. DODD, Mr. LUGAR, Mr. ROBB, and Mr. KERRY):

S.J. Res. 20. A joint resolution concerning the deployment of the United States Armed Forces to the Kosovo region in Yugoslavia; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself, Mr. FRIST, and Mr. BURNS):

S. 832. A bill to extend the commercial space launch damage indemnification provisions of section 70113 of title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

COMMERCIAL SPACE LAUNCH INDUSTRY INDEMNIFICATION EXTENSION

Mr. MCCAIN. Mr. President, I rise to introduce a bill to extend the commercial space launch indemnification.

As a result of the discussions over the last year on the alleged China technology transfer situation, the need to ensure that the United States launch companies maintain a competitive position in the International launch market has never been greater. One of the more important features of the Commercial Space Launch Act (''CSLA'') to the commercial industry is the comprehensive risk allocation provisions. The provisions are comprised of: (1) cross-waivers of liability among launch participants; (2) a demonstration of financial responsibility; and (3) a commitment (subject to appropriations) by the U.S. Government to pay successful third party claims above $500 million.

Since its establishment, this three-pronged approach has been extremely attractive to the customers, contractors, and subcontractors of the U.S. launch licensee and to the contractors and subcontractors of its customers, as they are all participants in and beneficiaries of CSLA. As such, it has enabled the U.S. launch services industry to compete effectively with its foreign counterparts who offer similar coverage.

This ability to compete effectively will be threatened on December 31, 1999. At that time, the most important element of the CSLA insurance section, the U.S. Government payment of claims provision, is scheduled to sunset. Without this provision, the advances in market share that this burgeoning U.S. industry has made—an industry that is critical to U.S. national security, foreign policy and economic interests—will be lost.

The indemnification has been extended previously for a period of 5 years. This bill extends the authorization for this indemnification for an additional 10 years. With this length of extension, companies will be able to finalize strategic plans in a more stable environment.

Therefore, I, along with my cosponsors, urge the Members of this body to support this bill and to provide the needed legislation which will allow this key industry continuous operation in a safe and responsible manner.

By Mr. CAMPBELL (for himself and Mr. SESSIONS):

S. 834. A bill to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes; to the Committee on Foreign Relations.

THE IRAN NUCLEAR NONPROLIFERATION ACT OF 1999

Mr. CAMPBELL. Mr. President, today I address an issue that is of vital importance to the national security of our country and the stability of the Middle East. While Iran's development of nuclear technologies has been a growing concern for the last few years, recent developments demand a response to this serious situation.

Last November, Iran signed an accord with Russia to speed up completion of the Bushehr Nuclear Power Plant, calling for an expansion of the current design and construction of the $800 million, 1,000 megawatt light-water reactor in southern Iran. Despite serious United States objections and concerns about the project, Russia maintains its longstanding support for the project and the development of Iran's nuclear program. Though Russian and Iranian governments insist that the reactor will be used for civilian energy purposes, the United States national security community believes that the project is too easy a cover for Iran to obtain vital Russian nuclear weapons technology. Israeli Prime Minister Binyamin Netanyahu condemned the Iranian-Russian nuclear cooperation accord as a threat to the entire region, stating:

> The building of a nuclear reactor in Iran only makes it likelier that Iran will equip its ballistic missiles with nuclear warheads. . . . Such a development threatens peace, the whole region and in the end, the Russians themselves.

On January 13 of this year, the administration underscored the gravity of this situation and imposed economic sanctions against three Russian institutes for supplying Iran with nuclear technology. But, I believe more needs to be done.

While the Khatami government in Iran has made some reform efforts since it was elected in 1997, Iran continues to oppose the Middle East peace process, has broadened its efforts to increase its weapons of mass destruction, and remains subject to the influences of its hard-line defense establishment. As reports of Iran's human rights violations continue, State Department reports on international terrorism indicate Iran's continued assistance to terrorist forces such as Hamas, Hizballah, and the Palestinian Islamic Jihad. This clear and consistent record of behavior seriously calls to question Iran's active pursuit to enhance its nuclear facilities.

Though Iran's efforts to acquire weapons of mass destruction have been a growing global concern for several years, international fears were confirmed when in July of last year, Iran demonstrated the strength of its offensive muscle by test-firing its latest Shahab-3 missle. Capable of propelling a 2,200-pound warhead for a range of 800 miles, this missile now allows Iran to pose a significant threat to our allies in the Middle East.

The potential results of Iran's successful development of effective nuclear technologies hold horrific implications for the stability of the Middle East. As an original cosponsor of the Iran Missile Proliferation Sanctions Act of 1997, and signatory of two letters in the 105th Congress to the administration to raise this issue with the Russian leadership, I believe the Senate must continue the effort in light of this growing threat.

Today I am joined by Senator SESSIONS in introducing the Iran Nuclear Proliferation Prevention Act of 1999 as a means to hinder the development of Iran's nuclear weapons program. The House version of this legislation is also being introduced today by Congressman MENENDEZ of New Jersey. This bill requires the withholding of proportional voluntary United States assistance to the International Atomic Energy Agency (IAEA) for programs and projects supported by the Agency in Iran. This legislation specifically aims to limit the Agency's assistance of the Bushehr Nuclear Power Plant.

Last October, this legislation was passed in the House by a recorded vote of 405 to 13, but was not considered by the Senate before the adjournment of the 105th Congress. In the interest of United States national security and for that of our allies, it is vital we ensure that United States funds are not promoting the development of Iran's nuclear capabilities.

I ask unanimous consent that the bill be printed in the RECORD following my remarks and I urge my colleagues to support passage of this bill.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 834

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 ''Iran Nuclear Proliferation Prevention Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Iran remains the world's leading sponsor of international terrorism and is on the Department of State's list of countries that provide support for acts of international terrorism.

(2) Iran has repeatedly called for the destruction of Israel and Iran supports organizations, such as Hizballah, Hamas, and the Palestine Islamic Jihad, which are responsible for terrorist attacks against Israel.

(3) Iranian officials have stated their intent to complete at least three nuclear power plants by 2015 and are currently working to complete the Bushehr nuclear power plant located on the Persian Gulf coast.

(4) The United States has publicly opposed the completion of reactors at the Bushehr nuclear power plant because the transfer of civilian nuclear technology and training could help to advance Iran's nuclear weapons program.

(5) In an April 1997 hearing before the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations of the Senate, the former Director of the Central Intelligence Agency, James Woolsey, stated that through the operation of the nuclear power reactor at the Bushehr nuclear power plant, Iran will develop substantial expertise relevant to the development of nuclear weapons.

(6) Construction of the Bushehr nuclear power plant was halted following the 1979 revolution in Iran because the former West Germany refused to assist in the completion of the plant due to concerns that completion of the plant could provide Iran with expertise and technology which could advance Iran's nuclear weapons program.

(7) In January 1995, Iran signed a $780,000,000 contract with the Russian Federation for Atomic Energy (MINATOM) to complete a VVER–1000 pressurized-light water reactor at the Bushehr nuclear power plant and in November 1998, Iran and Russia signed a protocol to expedite the construction of the nuclear reactor, setting a new timeframe of 52 months for its completion.

(8) In November 1998, Iran asked Russia to prepare a feasibility study to build 3 more nuclear reactors at the Bushehr site.

(9) Iran is building up its offensive military capacity in other areas as evidenced by its recent testing of engines for ballistic missiles capable of carrying 2,200 pound warheads more than 800 miles, within range of strategic targets in Israel.

(10) Iran ranks tenth among the 105 nations receiving assistance from the technical cooperation program of the International Atomic Energy Agency.

(11) Between 1995 and 1999, the International Atomic Energy Agency has provided and is expected to provide a total of $1,550,000 through its Technical Assistance and Cooperation Fund for the Iranian nuclear power program, including reactors at the Bushehr nuclear power plant.

(12) In 1999 the International Atomic Energy Agency initiated a program to assist Iran in the area of uranium exploration. At the same time it is believed that Iran is seeking to acquire the requisite technology to enrich uranium to weapons-grade levels.

(13) The United States provides annual contributions to the International Atomic Energy Agency which total more than 25 percent of the annual assessed budget of the Agency, and the United States also provides annual voluntary contributions to the Technical Assistance and Cooperation Fund of the Agency which total approximately 32 percent ($18,250,000 in 1999) of the annual budget of the program.

(14) The United States should not voluntarily provide funding for the completion of nuclear power reactors which could provide Iran with substantial expertise to advance its nuclear weapons program and potentially pose a threat to the United States or its allies.

(15) Iran has no need for nuclear energy because of its immense oil and natural gas reserves which are equivalent to 9.3 percent of the world's reserves, and Iran has 73,000,000,000 cubic feet of natural gas, an amount second only to the natural gas reserves of Russia.

SEC. 3. WITHHOLDING OF VOLUNTARY CONTRIBUTIONS TO THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR PROGRAMS AND PROJECTS IN IRAN.

Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) is amended by adding at the end the following:

''(d) Notwithstanding subsection (c), the limitations of subsection (a) shall apply to programs and projects of the International Atomic Energy Agency in Iran, unless the Secretary of State determines, and reports in writing to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate, that such programs and projects are consistent with United States nuclear nonproliferation and safety goals, will not provide Iran with training or expertise relevant to the development of nuclear weapons, and are not being used as a cover for the acquisition of sensitive nuclear technology. A determination made by the Secretary of State under the preceding sentence shall be effective for the 1-year period beginning on the date of the determination.''.

SEC. 4. ANNUAL REVIEW BY SECRETARY OF STATE OF PROGRAMS AND PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY; UNITED STATES OPPOSITION TO PROGRAMS AND PROJECTS OF THE AGENCY IN IRAN.

(a) ANNUAL REVIEW.—

(1) IN GENERAL.—The Secretary of State shall undertake a comprehensive annual review of all programs and projects of the International Atomic Energy Agency in the countries described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) to determine if such programs and projects are consistent with United States nuclear nonproliferation and safety goals.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act and on an annual basis thereafter for 5 years, the Secretary shall prepare and submit to Congress a report containing the results of the review under paragraph (1).

(b) OPPOSITION TO CERTAIN PROGRAMS AND PROJECTS OF INTERNATIONAL ATOMIC ENERGY AGENCY.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose programs of the Agency that are determined by the Secretary pursuant to the review conducted under subsection (a)(1) to be inconsistent with nuclear nonproliferation and safety goals of the United States.

SEC. 5. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and on an annual basis thereafter for 5 years, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to Congress a report that—

(1) describes the total amount of annual assistance to Iran provided by the International Atomic Energy Agency, a list of Iranian officials in leadership positions at the Agency, the expected timeframe for the completion of the nuclear power reactors at the Bushehr nuclear power plant, and a summary of the nuclear materials and technology transferred to Iran from the Agency in the preceding year which could assist in the development of Iran's nuclear weapons program; and

(2) contains a description of all programs and projects of the International Atomic Energy Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)) and any inconsistencies between the technical cooperation and assistance programs and projects of the Agency and United States nuclear nonproliferation and safety goals in these countries.

(b) ADDITIONAL REQUIREMENT.—The report required to be submitted under subsection (a) shall be submitted in an unclassified form, to the extent appropriate, but may include a classified annex.

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that the United States should pursue internal reforms at the International Atomic Energy Agency that will ensure that all programs and projects funded under the Technical Cooperation and Assistance Fund of the Agency are compatible with United States nuclear nonproliferation policy and international nuclear nonproliferation norms.

By Mr. CHAFEE (for himself, Mr. BREAUX, Mr. AKAKA, Mrs. BOXER, Mr. DODD, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. MACK, Mr. MOYNIHAN, Mrs. MURRAY, Mr. REED, Mr. ROBB, Mr. SARBANES, and Mr. WARNER):

S. 835. A bill to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes; to the Committee on Environment and Public Works.

ESTUARY HABITAT RESTORATION PARTNERSHIP ACT OF 1999

Mr. CHAFEE. Mr. President, I rise today to introduce legislation to protect our nation's estuaries—the Estuary Habitat Restoration Partnership Act of 1999. I am pleased to introduce this bill with Senator BREAUX and so many other distinguished members of the Senate. I am particularly pleased that there is strong bipartisan support among the 16 cosponsors of this bill. Such support underscores the importance of estuaries to our economy and to our environment.

To understand the importance of this bill, we must first understand exactly what estuaries are and why they are so significant. Estuaries are the bays, lagoons, and inlets created when rivers and oceans meet, mixing fresh and salt water, creating one of our most economically and environmentally valuable natural resources. They support diverse habitats—from shellfish beds to beaches to sea grass meadows. Estuaries are a crucial component of unique and fragile ecosystems that support marine mammals, birds, and wildlife.

There are many commercial and recreational uses that depend upon estuaries, making them integral to our economy as well. Coastal waters generate $54 billion in goods and services annually. The fish and shellfish industries alone contribute $83 million per year to the nation's economy. Estuaries are vital to more than 75 percent of marine fisheries in the United States, making those regions important centers for commercial and sport fishing, while supporting business and creating jobs.

The great natural beauty of estuaries coupled with the sporting, fishing, and other outdoor recreational activities they provide make coastal regions important areas for tourism. People come to hike, swim, boat, and enjoy nature in the 44,000 square miles of outdoor public recreation areas along our coasts. In fact, 180 million Americans visit our nation's coasts each year. That is almost 70 percent of the entire U.S. population. The large number of visitors has a strong economic impact. Coastal recreation and tourism generate $8 to $12 billion annually.

Estuaries are home to countless species unique to these ecosystems, including many that are threatened or endangered. From birds such as the bald eagle, to shellfish such as the American Oyster, to vegetation such as eelgrass—an amazing variety of wildlife relies upon those areas.

It's not only plants and animals that make their homes near estuaries. People are moving to these areas at a rapid rate. While coastal counties account for 11 percent of the land area of the continental U.S., at least half of all Americans call coastal and estuarine regions home. Coastal counties are growing at three times the rate of noncoastal counties. It is estimated that 100 million people live in such areas now, and by 2010 that number is expected to jump to 127 million.

Unfortunately, because so many of us enjoy living, working, and playing near estuaries, we have stressed the once-abundant resources of many of these water bodies. Population growth has been difficult to manage in a manner that protects estuaries. Housing developments, roads, and shopping centers have moved into areas crucial to the preservation of estuaries. They have also placed a more concentrated burden on estuaries from pollution caused by infrastructure required by greater number of people: more sewers, cars, and paved roads, among other things.

The result of this population growth is painfully evident. Estuary habitats across the nation are vanishing. Almost three-quarters of the original salt marshes in the Puget Sound have been destroyed. Ninety-five percent of the original wetlands in the San Francisco

Bay are gone. Louisiana estuaries are losing 25,000 areas of coastal marshes each year. That's an area about the size of Washington, D.C.

Those habitats that remain are beleaguered by problems and signs of distress can be seen in virtually every estuary. The 1996 National Water Quality inventory reported that nearly 40 percent of the nation's surveyed estuarine waters are too polluted for basic uses, such as fishing and swimming. Falling finfish and shellfish stocks due to overharvesting and pollution from nutrients and chemicals, proliferation of toxic algal blooms, and a reduction in important aquatic vegetation has signaled a decline in the condition of many estuaries.

Nutrients such as phosphorus and nitrogen carried from city treatment works and agricultural land flow down our rivers and into our estuaries, leading to over-enrichment of these waters. As a result, algal blooms flourish. These blooms rob the water of the dissolved oxygen and light that is crucial to the survival of grass beds that support shellfish and birds.

Nutrients have also contributed to the disappearance of eelgrass beds in Narragansett Bay on Rhode Island. While once eelgrass beds covered thousands of acres of the Bay floor, today that figure has fallen to only 100 acres or so. Sadly, the disappearance of eelgrass is not the only problem facing the Bay. Its valuable fish runs are disappearing. Salt marshes are also in decline. Fifty percent of the salt marsh acreage that once existed has been filled, and 70 percent is cut off from full tidal flow.

Nowhere has the problem of nutrient over-enrichment been demonstrated more dramatically of late than in the nation's largest estuary: the Chesapeake Bay. Nutrient pollution in the Bay has contributed to the toxic outbreak of the algae pfiesteria, or ''fish killer'', which has been responsible for massive fish kills in the Bay's waterways. While scientists believe pfiesteria has existed for thousands of years, only recently have we witnessed an alarming escalation in the appearance of the algae in its toxic, predatory form.

Unfortunately, the effects of pfiesteria have not been confined to the Chesapeake Bay region. Pfiesteria has also been identified in waters off the coast of North Carolina, indicative of a longer trend of harmful algal blooms in the U.S. and around the world. This trend correlates to an increase in nutrients in our waterways. Perhaps more distressing than the environmental threat posed by pfiesteria is the fact that pfiesteria has also been linked to negative health effects in humans.

Estuaries are also endangered by pathogens. Microbes from sewage treatment works and other sources have contaminated waters, making shellfish unfit for human consumption. In Peconsic Bay on Long Island, for instance, more than 4,700 acres of bay bottom is closed either seasonally or year-round due to pathogens.

Toxic chemicals such as PCBs, heavy metals, and pesticides degrade the environment of estuaries as well. Runoff from lawns, streets, and farms, sewage treatment plants, atmospheric deposition, and industrial discharges expose finfish and shellfish to the chemicals. The chemicals are persistent and tend to bioaccumulate, concentrating in the tissues of the fish. The fish may then pose a risk to human health if consumed.

In Massachusetts Bays, for instance, diseased lobster and flounder have been discovered in certain areas, prompting consumption advisories. Unfortunately, this problem is not an isolated one. In many of our nation's urban harbors polluted runoff creates ''hot spots'' of toxic contamination so severe that nothing can survive.

Estuaries are also threatened by newly introduced species. Overpopulation of new species can eradicate native populations. Eradication of even one native species has the potential to alter the food web, increase erosion, and interfere with navigation, agriculture, and fishing. In Tampa Bay, for example, native plant species have been replaced by newly introduced species, altering the Bay's ecological balance.

All of these changes to the condition of our estuaries threaten not only our environment, but the economies and jobs that rely upon estuaries. Indeed, the stresses we have placed on estuaries in the past may jeopardize our future enjoyment of the benefits they provide, unless we continue to strengthen the commitments we have made to protecting this resource. Thankfully, the fate of the nation's estuaries is far from decided. We are beginning to see signs that efforts made by many to restore and protect our estuaries are having a positive effect and turning the tide against degradation.

Nutrient levels in the Chesapeake Bay are declining due in part to programs designed to better manage fertilizer applications to farmland and lawns and to reduce point source discharges. People in New York have targeted sewer overflows, non-point runoff, and sewage treatment plants by implementing techniques to prevent stormwater pollution and mitigate runoff. By doing so, they hope to reduce the threat of pathogen contamination in Long Island Sound.

In Rhode Island, a non-profit group, Save the Bay, has partnered with school kids to do something about the loss of eelgrass beds in Narragansett Bay. The children are growing eelgrass in their schools and it is then planted in the Bay by Save the Bay. In this way, they hope to encourage growth of the beds that provide a home for shellfish and a food source for countless other Bay creatures.

In Florida, a partnership of volunteers, students, businesses, and federal, state, and local governments prepared sites and planted native vegetation on six acres of newly-constructed wetlands in a park adjacent to Tampa Bay. The students received job training, education, and summer employment, and the Bay received a helping hand fighting the invasive species that threaten those native to it.

The ''Estuary Habitat Restoration Partnership Act'' will further these efforts to preserve and restore estuaries. The Act is designed to make the best use of scarce resources by channeling them directly to those citizens and organizations that best know how to restore estuaries. It will help groups like those in Rhode Island and Tampa Bay continue their work while encouraging others to join them in projects of their own.

The ultimate goal is to restore 1,000,000 acres of estuary habitat by 2010. To achieve this goal, the bill establishes a streamlined council consisting of representatives from citizen organizations and state and federal governments. This ''Collaborative Council'' will serve two functions. The first function is to develop a comprehensive national estuary habitat restoration strategy. The strategy will be the basis for the second function of the Council: efficient coordination of federal and non-federal estuary restoration activities by providing a means for prioritizing and selecting habitat restoration projects.

In developing the strategy, the Council will review existing federal estuary restoration plans and programs, create a set of proposals for making the most of incentives to increase private-sector participation in estuary restoration, and make certain that the strategy is developed and implemented consistent with existing federal estuary management and restoration programs.

The Council's second function is to select habitat restoration projects presented to the Council by citizen organizations and other non-federal entities, based on the priorities outlined under the strategy. Those projects that have a high degree of support from non-federal sources for development, maintenance, and funding, fall within the restoration strategy developed by the Council, and are the most feasible will have the greatest degree of success in receiving funding.

A project must receive at least 35 percent of its funding from non-federal sources in order to be approved. Priority will be given to those projects where more than 50 percent of its support comes from non-federal sources. Priority status also requires that the project is part of an existing federal estuary plan and that it is located in a watershed that has a program in place to prevent water pollution that might re-impair the estuary if it were restored.

To achieve its 1,000,000 acre goal, the Act does not establish mandates or create a new bureaucracy. Instead, the Act encourages partnerships between

government and those that are most concerned and best able to effectively preserve estuaries—citizens. It will make the most of federal dollars by providing those citizens and organizations that are most affected by the health of our estuaries the opportunity and the incentive to continue their efforts to improve them through projects that they develop, implement, and monitor themselves.

This approach has several advantages. All estuaries are not the same, nor are the problems that face each estuary the same. Therefore, the Act allows citizens to tailor a project targeted to meet the specific challenges posed by the particular estuary in their region. In this way, we are doing the most to help protect estuaries while wasting none of our scarce federal funds. The Act also ensures the continued prudent use of funds through information-gathering, monitoring, and reporting on the projects.

Estuaries contribute to our economy and to our environment, and for these reasons alone they should be protected. But, they also contribute to the fabric of many of the communities that surround them. They define much of a region's history and cultures as well as the way people live and work there today.

For all of these reasons, then, we must make efficient use of the resources we have in order to assist those people that are protecting and restoring our estuaries. The Estuary Habitat Restoration Partnership Act is the best, most direct way to do just that. Therefore, I urge all of my colleagues to support this bill.

Mr. President, I ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section cites provides that the Act may be cited as ''The Estuary Habitat Restoration Partnership Act of 1999''.

Section 2. Findings

This section establishes Congress' findings. Congress finds that estuaries provide some of the most ecologically and economically productive habitat for an extensive variety of plants, fish, wildlife, and waterfowl. It also finds that estuaries and coastal regions of the United States are home to one-half the population of the United States and provide essential habitat for 75 percent of the Nation's commercial fish catch and 80 to 90 percent of its recreational fish catch.

It further finds that estuaries are gravely threatened by habitat alteration and loss from pollution, development, and overuse. Congress finds that successful restoration of estuaries demands the coordination of Federal, State, and local estuary habitat restoration programs and that the Federal, State, local, and private cooperation in estuary habitat restoration activities in existence on the date of enactment of this Act should be strengthened. Also, new public and public-private estuary habitat restoration partnerships should be established.

Section 3. Purposes

The bill establishes a program to restore one million acres of estuary habitat by the year 2010. the bill requires the coordination of existing Federal, State and local plans, programs, and studies. It authorizes partnerships among public agencies at all levels of government and between the public and private sectors. The bill authorizes estuary habitat restoration activities, and it requires monitoring and research capabilities to assure that restoration efforts are based on sound scientific understanding.

This measure will give a real incentive to existing State and local efforts to restore and protect estuary habitat. Although there are numerous estuary restoration programs already in existence, non-Federal entities have had trouble sifting through the often small, overlapping and fragmented habitat restoration programs. The bill will coordinate these programs and restoration plans, combine State, local and Federal resources and supplement needed additional funding to restore estuaries.

Section 4. Definitions

This section defines terms used throughout the Act. Among the most important definitions are:

''Estuary'' is defined as a body of water and its associated physical, biological, and chemical elements, in which fresh water from a river or stream meets and mixes with salt water from the ocean.

''Estuary Habitat'' is defined as the complex of physical and hydrologic features within estuaries and their associated ecosystems, including salt and fresh water coastal marshes, coastal forested wetlands and other coastal wetlands, tidal flats, natural shoreline areas, sea grass meadows, kelp beds, river deltas, and river and stream banks under tidal influence.

''Estuary Habitat Restoration Activity'' is defined as an activity that results in improving an estuary's habitat, including both physical and functional restoration, with a goal toward a self-sustaining ecologically-based system that is integrated with its surrounding landscape. Examples of restoration activities include: the control of non-native and invasive species; the reestablishment of physical features and biological and hydrologic functions; the cleanup of contamination; and the reintroduction of native species, through planting or natural succession.

Section 5. Establishment of the Collaborative Council

This section establishes an interagency Collaborative Council composed of the Secretary of the Army, the Under Secretary for Oceans and Atmosphere, Department of Commerce, the Administrator of the Environmental Protection Agency, and the Secretary of the Interior, through the Fish and Wildlife Service. The two principal functions of the Council are: (1) to develop a national strategy to restore estuary habitat; and (2) to select habitat restoration projects that will receive the funds provided in the bill.

The Army Corps of Engineers is to chair the Council. The Corps is to work cooperatively with the other members of the Council.

Section 6. Duties of the Collaborative Council

This section establishes a process to coordinate existing Federal, State and local resources and activities directed toward estuary habitat restoration. It also sets forth the process by which projects are to be selected by the Council for funding under this Title.

Habitat Restoration Strategy.—This section requires the Council to draft a strategy that will serve as a national framework for restoring estuaries. The strategy should coordinate Federal, State, and local estuary plans programs and studies.

In developing the strategy, the Council should consult with State, local and tribal governments and other non-Federal entities, including representatives from coastal States representing the Atlantic, Pacific, and the Gulf of Mexico; local governments from coastal communities; and nonprofit organizations that are actively participating in carrying out estuary habitat restoration projects.

Selection of Projects.—This section also requires the Council to establish application criteria for restoration projects. The Council is required to consider a number of factors in developing criteria. In addition to the factors mentioned in the legislation, the Council is to consider both the quantity and quality of habitat restored in relation to the overall cost of a project. The consideration of these factors will provide the information required to evaluate performance, at both the project and program levels, and facilitate the production of biennial reports in the strategy.

Subsection (b) of section 105 requires the project applicant to obtain the approval of State or local agencies, where such approval is appropriate. In States such as Oregon, where coastal beaches and estuaries are publicly owned and managed, proposals for estuary habitat restoration projects require the approval of the State before being submitted to the Council.

Priority Projects.—Among the projects that meet the criteria listed above, the Council shall give priority for funding to those projects that meet any of the factors cited in subsection(b)(4) of this section.

One of the priority factors is that the project be part of an approved estuary management or restoration plan. It is envisioned that funding provided through this legislation would assist all local communities in meeting the goals and objectives of estuary restoration, with priority given to those areas that have approved estuary management plans. For example, the Sarasota Bay area in Florida is presently implementing its Comprehensive Conservation and Management Plan (CCMP), which focuses on restoring lost habitat. This is being accomplished by: reducing nitrogen pollution to increase sea grass coverage; constructing salt water wetlands; and building artificial reefs for juvenile fish habitat. Narragansett Bay in Rhode Island also is in the process of implementing its CCMP. Current efforts to improve the Bay's water quality and restore its habitat address the uniqueness of the Narraganset Bay watershed.

Section 7. Cost sharing of estuary habitat restoration projects

This section strengthens local and private sector participation in estuary restoration efforts by building public-private restoration partnerships. This section establishes a Federal cost-share requirement of no more than 65 percent of the cost of a project. The non-Federal share is required to be at least 35 percent of the cost of a project. Lands, easements, services, or other in-kind contributions may be used to meet non-Federal match requirement.

Section 8. Monitoring and maintenance

This section assures that available information will be used to improve the methods for assuring successful long-term habitat restoration. The Under Secretary for Oceans and Atmosphere (NOAA) shall maintain a database of restoration projects carried out under this Act, including information on project techniques, project completion, monitoring data, and other relevant information.

The Council shall publish a biennial report to Congress that includes program activities, including the number of acres restored; the percent of restored habitat monitored under a plan; and an estimate of the long-term success of different restoration techniques used in habitat restoration projects.

Section 9. Cooperative agreements and memoranda of understanding

This section authorizes the Council to enter into cooperative agreements and execute memoranda of understanding with Federal and State agencies, private institutions, and tribal entities, as is necessary to carry out the requirements of the bill.

Section 10. Distribution of appropriations for estuary habitat restoration activities

This section authorizes the Secretary to disburse funds to the other agencies responsible for carrying out the requirements of this Act. The Council members are to work together to develop an appropriate mechanism for the disbursement of funds between Council members. For instance, section 107 of the bill requires the Under Secretary to maintain a data base of restoration projects carried out under this legislation. NOAA shall utilize funds disbursed from the Secretary to maintain the data base.

Section 11. Authorization of appropriations

The total of $315,000,000 for fiscal years 2000 through 2004 is authorized to carry out estuary habitat restoration projects under this section. The $315,000,000 would be distributed as follows: $40,000,000 for fiscal year 2000; $50,000,000 for fiscal year 2001, and $75,000,000 for each of fiscal years 2002 through 2004.

Section 12. National estuary program

This section amends section 430(g)(2) of the Federal Water Pollution Control Act to provide explicit authority for the Administrator of the Environmental Protection Agency to issue grants not only for assisting activities necessary for the development of comprehensive conservation and management plans (CCMPs) but also for the implementation of CCMPs. Implementation for purposes of this section includes managing and overseeing the implementation of CCMPs consistent with section 320(b)(6) of the Act, which provides that management conferences, among other things, are to 'monitor the effectiveness of actions taken pursuant to the [CCMP].' Examples of implementation activities include: enhanced monitoring activities; habitat mapping; habitat acquisition; best management practices to reduce urban and rural polluted runoff; and the organization of workshops for local elected officials and professional water quality managers about habitat and water quality issues.

The National Estuary Program is an important partnership among Federal, State, and local governments to protect estuaries of national significance threatened by pollution. A major goal of the program has been to prepare CCMPs for the 28 nationally designated estuaries. To facilitate preparation of the plans, the Federal Government has provided grant funds, while State and local governments have developed the plans. The partnership has been a success in that 18 of 28 nationally designated estuaries have completed plans.

In order to continue and strengthen this partnership, grant funds should be eligible for use in the implementation of the completed plans as well as for their development. Appropriations for grants for CCMPs are authorized at $2,5000,000 for each of fiscal years 2000 and 2001. This increase reflects the growth in the National Estuary Program since the program was last authorized in 1987. In 1991 when the authorization expired, 17 local estuary programs existed; now there are 28 programs. The cost of implementing the 28 estuary programs will require significant resources. However, State and local governments should take primary responsibility for implementing CCMPs.

Section 13. General provisions

This section provides the Secretary of the Army with the authority to carry out responsibilities under this Act, and it clarifies that habitat restoration is one of the Corps' mission.

Mr. BREAUX. Mr. President, I am pleased and honored to join with my friend and colleague, Senator JOHN CHAFEE, Chairman of the Senate Committee on Environment and Public Works, to introduce legislation to restore America's estuaries. Our bill is entitled the ''Estuary Habitat Restoration Partnership Act of 1999.''

In the 105th Congress, on October 14, 1998, the Senate passed by unanimous consent S. 1222, the ''Estuary Habitat Restoration Partnership Act of 1998.'' I joined with Senator CHAFEE and 15 other Senators to introduce the bill on September 25, 1997. On July 9, 1998, I testified on its behalf during hearings held by Senator CHAFEE and the Committee on Environment and Public Works.

I am pleased that the Senate gave its unanimous approval to the bill's passage in the last Congress and look forward to such consent in the 106th Congress.

Estuaries are a national resource and treasure. As a nation, therefore, we should work together at all levels and in all sectors to help restore them.

Other Senators have joined with Senator CHAFEE and me as original cosponsors of the bill. Together, we want to draw attention to the significant value of the nation's estuaries and the need to restore them.

It is also my distinct pleasure today to say with pride that Louisianians have been in the forefront of this movement to recognize the importance of estuaries and to propose legislation to restore them. The Coalition to Restore Coastal Louisiana, an organization which is well-known for its proactive work on behalf of the Louisiana coast, has been from the inception an integral part of the national coalition, Restore America's Estuaries, which has proposed and supports the restoration legislation.

The Coalition to Restore Coastal Louisiana and Restore America's Estuaries are to be commended for their leadership and initiative in bringing this issue to the nation's attention.

In essence, the bill introduced today proposes a single goal and has one emphasis and focus. It seeks to create a voluntary, community-driven, incentive-based program which builds partnerships between the federal government, state and local governments and the private sector to restore estuaries, including sharing in the cost of restoration projects.

In Louisiana, we have very valuable estuaries, including the Ponchartrain, Barataria-Terrebonne, and Vermilion Bay systems. Louisiana's estuaries are vital because they have helped and will continue to help sustain local communities, their cultures and their economies.

I encourage Senators from coastal and non-coastal states alike to evaluate the bill and to join in its support with Senator CHAFEE, me and the other Senators who are original bill cosponsors.

I look forward to working with Senator CHAFEE and other Senators on behalf of the bill and with the Coalition to Restore Coastal Louisiana and Restore American's Estuaries.

By working together at all levels of government and in the private and public sectors, we can help to restore estuaries. We can, together, help to educate the public about the important roles which estuaries play in our daily lives through their many contributions to public safety and well-being, to the environment and to recreation and commerce.

By Mr. SPECTER (for himself, Mr. GRAHAM, Mr. COCHRAN, and Mr. ROBB):

S. 836. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group health plans and health insurance issuers provide women with adequate access to providers of obstetric and gynecological services; to the Committee on Health, Education, Labor, and Pensions.

ACCESS TO WOMEN'S HEALTH CARE ACT OF 1999

Mr. SPECTER. Mr. President, I have sought recognition to discuss an issue of great importance, and an issue on which I believe we can all agree. Regardless of health insurance type, payer, or scope, it is critical that women have direct access to caregivers who are trained to address their unique health needs. To help us ensure that all women have direct access to providers of obstetric and gynecological care within their health plans, I am joined by Senator BOB GRAHAM in introducing the ''Access to Women's Health Care Act of 1999.'' This legislation will allow women direct access to providers of obstetric and gynecological care, without requiring them to secure a time-consuming and cumbersome referral from a separate primary care physician. Senator GRAHAM and I are also pleased to have Senators COCHRAN and ROBB as original cosponsors of this vital legislation. I would like to extend thanks to the American College of Obstetricians and Gynecologists, whose members have worked diligently with Senator GRAHAM and myself in crafting this bill.

While many managed care plans provide some form of direct access to women's health specialists, some plans limit this access. Other plans deny direct access altogether, and require a referral from a primary care physician. Under the ''Access to Women's Health Care Act of 1999,'' women would be permitted to see a provider of obstetric and gynecological care without prior authorization. This approach is prudent and effective because it ensures that women have access to the benefits they pay for, without mandating a structural change in the plan's particular ''gatekeeper'' system.

It is important to note that 37 states have enacted laws promoting women's access to providers of obstetric and gynecological care. However, women in other states or in ERISA-regulated health plans are not protected from access restrictions or limitations. For many women, direct access to providers of obstetric and gynecological care is crucial because they are often the only providers that women see regularly during their reproductive years. These providers are often a woman's only point of entry into the health care system, and are caregivers who maintain a woman's medical record for much of her lifetime.

I believe it is clear that access to women's health care cuts across the intricacies of the complicated and often divisive managed care debate. During the past few years, Congress has debated many proposals which attempt to address growing problems in managed health care insurance. These proposals have been diverse, not only in their approach to the problems, but in the scope of the problems they seek to address. Most recently, during the 105th Congress, the House of Representatives passed a managed care reform proposal which, among many other reforms, included provisions requiring health plans to allow women direct access to obstetrician/gynecologists which participate in the plan. I would also note that this direct access provision has been included, in varying forms, in all of the major managed care reform proposals introduced in the Senate this year, including the bipartisan managed care reform bill, the ''Promoting Responsible Managed Care Act of 1999'' (S. 374), which I cosponsored. It is for these reasons that I offer this legislation today.

Only through bipartisanship and consensus-building can we come to an agreement on the difficult issue of addressing managed care reform. I believe that cutting through the cumbersome gatekeeper system to ensure women have access to the care they need is a good place to start, and I urge swift adoption of this legislation.

Mr. GRAHAM. Mr. President, I rise today, along with Senators SPECTER, COCHRAN and ROBB, to introduce the Access to Women's Health Care Act of 1999. This important legislation would provide women with direct access to providers of obstetric and gynecological services. It is critical that women have direct access to health care providers who are trained to address their unique health care needs.

Women's health has historically received little attention and it is time that we correct that. An obstetrician/gynecologist provides health care that encompasses the woman as a whole patient, while focusing on their reproductive systems. Access to obstetrician/gynecologists would improve the health of women by providing routine and preventive health care throughout the woman's lifetime. In fact, 60 percent of all visits to obstetrician/gynecologists are for preventive care.

According to a survey by the Commonwealth Fund, preventive care is better when women have access to obstetrician/gynecologists. The specialty of obstetrics/gynecology is devoted to the health care of women. Primary and preventive care are integral services provided by obstetrician/gynecologists. Complete physical exams, family planning, hypertension and cardiovascular surveillance, osteoporosis and smoking cessation counseling, are all among the services provided by obstetrician/gynecologists. For many women, an obstetrician/gynecologist is often the only physician they see regularly during their reproductive years.

Congress, so far, has been more reluctant to ensure direct access to women's health care providers than states. Thirty-seven states have stepped up to the plate and required at least some direct access for women's health care. We should commend these states for their efforts and work together so that women across the nation are afforded this important right.

I hope that with the help of my colleagues in Congress we will be able to improve women's health, by increasing their access to providers of obstetric/gynecological care. This provision has been included in varying forms in many of the managed care reform proposals this Congress.

By Mr. MCCONNELL (for himself, Mr. MOYNIHAN, Mr. LIEBERMAN, and Mr. MCCAIN):

S. 837. A bill to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims, and for other purposes; to the Committee on Commerce, Science, and Transportation.

AUTO CHOICE REFORM ACT

Mr. MCCONNELL. Mr. President, I rise today to introduce a progressive, bipartisan bill to allow hard-working Americans to keep more of what they earn.

Imagine for a moment a tax cut that could save families $193 billion over the next five years. Better yet, this tax cut would not add a single penny to the deficit. Sound impossible? Not really. It's called Auto Choice.

The Auto Choice Reform Act offers the equivalent of a massive across-the-board tax cut to every American motorist. Based on a study by the RAND Institute for Civil Justice, the Joint Economic Committee (''JEC'') in Congress issued a 1998 report estimating that Auto Choice could save consumers as much as $35 billion a year—at no cost to the government.

In fact, the 5-year net savings described in the JEC report could reach $193 billion. Let me say that again, Mr. President: a potential savings of $193 billion—that is $50 million more than five-year tax cut savings projected in our budget resolution.

So what does this mean for the average American?

It would mean that the average American driver could keep more of what he or she earns to the tune of nearly $200 per year, per vehicle. And, Mr. President, low-income families would be the greatest beneficiaries of this bill. According to the JEC, the typical low-income household spends more on auto insurance in two years than the entire value of their car. Auto choice would change that by allowing low-income drivers to save 36 percent on their overall automobile premium. For a low-income household, these savings are the equivalent of five weeks of groceries or nearly four months of electric bills.

And, Mr. President, let me say again—Auto Choice would not add one penny to the deficit. It wouldn't cost the government a cent.

I expect that there will be a good deal of discussion over the next few months about Auto Choice and the effort to repair the broken-down automobile insurance tort system. But, Mr. President, everything you will hear about Auto Choice can be summed up in two words: Choice and Savings.

Consumers want, need, and deserve both.

Very simply, the Auto Choice Reform Act offers consumers the choice of opting out of the current pain and suffering litigation lottery. The consumers who make this choice will achieve a substantial savings on automobile insurance premiums by reducing fraud, pain-and-suffering litigation and lawyer fees.

Mr. President, before you can truly comprehend the benefits of this pro-consumer, pro-inner city, pro-tax cut bill, you must understand the terrible costs of the current tort liability system.

The current trial-lawyer insurance system desperately needs an overhaul. And nobody knows this better than the American motorist—who is now paying on average nearly $800 per year per vehicle for automobile insurance. Between 1987 and 1994, average premiums rose 44 percent—nearly one-and-a-half times the rate of inflation.

Why are consumers forced to pay so much?

Because the auto insurance tort system is fundamentally flawed. It is clogged and bloated by fraud, wasteful litigation, and abuse.

Fundamental flaw #1: The first flaw of the current system is rampant fraud and abuse. In 1995, the F.B.I. announced a wave of indictments stemming from Operation Sudden Impact, the most wide-ranging investigation of criminal fraud schemes involving staged car accidents and massive fraud in the health care system. The F.B.I uncovered criminal enterprises staging bus and car accidents in order to bring lawsuits and collect money from innocent people, businesses and governments. In fact, F.B.I. Director Louis Freeh has estimated that every American household is burdened by an additional $200 in unnecessary insurance premiums to cover this enormous amount of fraud.

In addition to the pervasive criminal fraud that exists, the incentives of our

litigation system encourage injured parties to make excessive medical claims to drive up their damage claims in lawsuits. The RAND institute for Civil Justice, in a study released in 1995, concluded that 35 to 42 percent of claimed medical costs in car accident cases are excessive and unnecessary. Let me repeat that in simple English: well over one-third of doctor, hospital, physical therapy and other medical costs claimed in car accident cases are for nonexistent injuries or for unnecessary treatment.

The value of this wasteful health care? Four billion dollars annually. I don't need to remind anyone of the ongoing local and national debate over our health care system. While people have strongly-held differences over the causes and solutions to that problem, the RAND data make one thing certain—lawsuits, and the potential for hitting the jackpot, drive overuse and abuse of the health care system. Reducing those costs by $4 billion annually, without depriving one person of needed medial care, is clearly in our national interest.

Why would an injured party inflate their medical claims, you might ask. It's simple arithmetic. For every $1 of economic loss, a party stands to recover up to $3 in pain and suffering awards. In short, the more you go to the chiropractor, the more you get from the jury. And, the more you get from the jury, the more money your attorney puts in his own pocket.

Which leads us to Fundamental Flaw #2—that is, the excessive amounts of consumer dollars that are wasted on lawsuits and trial lawyers. Based on data from the Insurance Information Institute and the Joint Economic Committee, it is estimated that lawyers rake in nearly two times the amount of money that injured parties receive for actual economic losses. Surely we would all agree that a system is broken down when it pays lawyers more than it pays injured parties for actual economic losses.

Fundamental Flaw #3: Seriously injured people are grossly undercompensated under the tort system. A 1991 RAND study reveals that people with economic losses $25,000 and $100,000 recover on average barely half of their economic losses—and no pain-and-suffering damages. People with losses in excess of $100,000 recover only 9 percent of their economic losses—and no pain-and-suffering damages. So, the hard facts demonstrate that seriously-injured victims do not receive pain-and-suffering damages today—event though they are paying to play in a system that promises pain-and-suffering damages.

Fundamental Flaw #4: Not only does the current system force you to typically hire a lawyer just to recover from a car accident, it also forces you to wait for that payment. One study indicates that the average time to recover is 16 months, and of course, it takes much longer in serious injury cases.

Auto Choice gives consumers a way out of this system of high premiums, rampant fraud, and slow, inequitable compensation. Our bill would remove the perverse incentives of lawsuits, while ensuring that accident victims recover fully for their economic loss.

So, what is auto choice? Let me first answer with what it is not. It does not abolish lawsuits, and it does not eliminate the concept of fault within the legal system. Undoubtedly, there will be more equitable compensation of injured parties, and thus less reason to go to court—but the right to sue will not be abolished.

Auto Choice allows drivers to decide how they want to be insured. In establishing the choice mechanism, the bill unbundles economic and non-economic losses and allows the driver to choose whether to be covered for non-economic losses (that is, pain and suffering losses).

In other words, if a driver wants to have the chance to recover pain and suffering, he says in the current system. If he wants to opt-out of the pain and suffering regime and receive lower premiums with prompt, guaranteed compensation for economic losses, then he chooses the personal injury protection system.

This choice, which sounds amazingly simple and imminently reasonable, is, believe it or not, currently unavailable anywhere in our country. Auto Choice will change that.

Let me briefly explain the choices that our bill will offer every consumer. A consumer will be able to choose one of two insurance systems.

The first choice in the Tort Maintenance System. Drivers who wish to stay in their current system would choose this system and be able to sue each other for pain and suffering. These drivers would essentially buy the same type of insurance that they currently carry—and would recover, or fail to recover, in the same way that they do today. The only change for these tort drivers would be that, in the event that they are hit by a personal protection driver, the tort driver would recover both economic and noneconomic damages from his own insurance policy. This supplemental first-party policy for tort drivers will be called tort maintenance coverage.

The second choice is the Personal Injury Protection System. Consumers choosing this system would be guaranteed prompt recovery of their economic losses, up to the levels of their own insurance policy. Personal protection drivers would achieve substantially reduced premiums because the personal injury protection system would dramatically reduce: (1) fraud, (2) pain and suffering lawsuits, and (3) attorney fees. These drivers would give up the chance to sue for pain and suffering damages in exchange for lower premiums, guaranteed compensation of economic losses, and relief from pain and suffering lawsuits.

Under both insurance systems—tort maintenance and personal protection—the injured party whose economic losses exceed his own coverage will have the chance to sue the other driver for excess economic losses. Moreover, tort drivers will retain the chance to sue each other for both economic and noneconomic loss. Critics who say the right to sue is abolished by this bill are plain wrong.

The advantages of personal protection coverage are enormous.

First, personal protection coverage assures that those who suffer injury, regardless of whether someone else is responsible, will be paid for their economic losses. The driver does not have to leave compensation up to the vagaries of how an accident occurs and how much coverage the other driver has. A driver whose car goes off a slippery road will be able to recover for his economic losses. Such a blameless driver could not recover under the tort system because no other person was at fault. No matter when and how a driver or a member of his family is injured, the driver will have peace of mind knowing that his insurance will help protect his family.

Second, the choice as to how much insurance protection to purchase is in the hands of the driver, who is in the best position to know how much coverage he and his family need. He can choose as much or as little insurance as his circumstances require, from $20,000 to $1 million of protection.

Third, people who elect the personal protection option will, in the event they are injured, be paid promptly, as their losses accrue.

Fourth, we will have more rational use of precious health care resources. Insuring on a first-party basis helps eliminate the incentives for excess medical claiming. When a person chooses to be compensated for actual economic loss, the tort system's incentives for padding one's claims disappear. If there's no pain-and-suffering lottery, then there's no reason to play the game.

Fifth, Auto Choice offers real benefits for low-income drivers because the savings are both dramatic and progressive. Low-income drivers will see the biggest savings because they pay a higher proportion of their disposal income in insurance costs. A study of low income residents of Maricopa County, Arizona, revealed that households below 50 percent of the poverty line spent an amazing 31.6 percent of disposable income on car insurance.

For many low-income families the choices are stark: car insurance and the ability to get to the job, or medicine, new clothing and extra food for the children. Too often these families feel forced to drive without any insurance. In fact, some areas in our country have uninsured motorist rates exceeding ninety percent. I would hope that this Senate would not sit back and allow our litigation system to promote this kind of lose-lose scenario for consumers.

Moreover, Auto Choice offers benefits to all taxpayers, even those who don't

drive. For example, local governments will save taxpayer dollars through decreased insurance and litigation costs. This will allow governments to use our tax dollars to more directly benefit the community. Think of all the additional police and firefighters that could be hired with money now spent on lawsuits, Or, schools and playgrounds that could be better equipped. New York City spends more on liability claims than it spends on libraries, botanical gardens, the Bronx Zoo, the Metropolitan Museum of Art and the Department of Youth Services, combined. Imagine the improved quality of life in our urban areas if governments were free of spending on needless lawsuits.

The bottom line? We think that consumers should be able to make one simple choice: ''Do you want to continue to pay nearly $800 per year per vehicle for auto insurance and have the chance to recover pain and suffering damages? Or would you rather save roughly $200 per year per vehicle, be promptly reimbursed for your economic losses, and forego pain and suffering damages?''

It's really that simple. And, we're not even going to tell them which answer is the right one. Because that's not up to us. It's up to the consumer. We simply want to give them the choice.

In closing, I'd like to quote The New York Times, which has summed up the benefits, and indeed, the simplicity of our bill: ''[Auto Choice] would give families the option of foregoing suits for nonmonetary losses in exchange for quick and complete reimbursement for every blow to their pocketbook. Everyone would win—except the lawyers.''

Mr. President, this bill is bipartisan and bicameral. I am proud today to again have the support of Senators MOYNIHAN and LIEBERMAN. We first introduced this bill in the 104th Congress, and I want to take a minute to say how much I appreciate their ongoing commitment to provide meaningful relief for consumers across the country, especially low-income families. And, we have now added another heavy hitter to our list of original cosponsors, Senator JOHN MCCAIN, the chairman of the Senate Commerce Committee.

I also want to thank House Majority Leader DICK ARMEY and Congressman JIM MORAN. They joined our team in the last Congress, and I am pleased to say that they will again be leading the charge in the House.

Auto Choice has broad support from across the spectrum. It should be obvious by the support and endorsements that Auto Choice is not conservative or liberal legislation. It is consumer legislation. To show this range of support, I ask unanimous consent that the RECORD include the statements in support of Auto Choice from the Republican Mayor of New York City, Rudolph Giuliani; the former Massachusetts Governor and Democratic presidential candidate, Michael Dukakis; and award-winning consumer advocate Andrew Tobias. I also ask unanimous consent that the RECORD include statements on behalf of Americans for Tax Reform, Citizens for a Sound Economy, and the U.S. Chamber of Commerce.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, NY, April 13, 1999.

Hon. MITCH MCCONNELL,
U.S. Senate, Senate Russell Office Building, Washington, DC.

DEAR SENATOR MCCONNELL: I am writing to you in support of Auto-Choice insurance reform, which will dramatically reduce automobile insurance premiums for American motorists.

Drivers across the country are struggling with the burden of unjustly high automobile insurance premiums caused by excessive pain and suffering damages awarded in personal injury actions. Three out of every four dollars awarded in these actions are spent on this subjective component of tort recovery. Also contributing to high premiums are inflated and fraudulent insurance claims. The Federal Bureau of Investigation has estimated that more than $200 of an American family's average annual premiums go to pay for automobile insurance fraud. Because insurance companies have to cover these payments, our premiums are significantly higher than they ought to be.

New York City has proposed State legislation to remedy some of the ills afflicting our tort recovery system, such as capping pain and suffering awards. However, your assistance is needed nationwide to protect ordinary drivers who suffer from the incentives that invite plaintiff attorneys to sue without restraint, in the hope of obtaining a large, unearned contingency fee from a large pain and suffering recovery. Attorneys receive one third or more of a tort recovery, a sum that often bears no relationship to the amount of time or effort invested by the attorney, while drivers often pay premiums that are not commensurate with the protection actually afforded. That is grossly unfair.

I support Auto-Choice because it would be a major step forward in tort reform and would provide billions of dollars in relief to taxpayers. Auto-Choice gives motorists the option to choose between two insurance coverage plans. The personal protection plan permits drivers to insure for economic loss only. Under this option, injured drivers recover from their own insurance carrier for economic loss without regard to fault. No lawsuit would be required unless an injured driver seeks recovery of economic loss exceeding his or her own policy's coverage. Under the second plan, traditional tort liability coverage, motorists insure for economic and non-economic damages, and recover both from their own insurance carrier. Under either plan, drivers may sue uninsured or inebriated drivers for economic and non-economic damages. The result is a first party recovery framework that separates pain and suffering damages from tort recovery. With litigation incentives eliminated, motorists will pay only for protection actually provided at a price they can better afford. Injured drivers recover medical bills, lost wages and other pecuniary loss without the headache of protracted litigation. For those that think pain and suffering recovery is an important part of insurance coverage, that option is available to them in the bill—at the price they are willing to pay, for the amount of coverage they wish to have.

Families throughout the country would benefit considerably from savings on automobile insurance premiums generated by this bill. According to the Congressional Joint Economic Committee, within a five year period, Auto-Choice could give motorists a total of over $190 billion in disposable income that otherwise would go to insurance companies. The average annual premium nationwide would be reduced by $184, and in New York, drivers would see a $385 decrease in the average annual insurance premium. That means more disposable income available to spend and more incentive to save. Until now, the insured have had to endure paying what is, for all intents and purposes, an ''automobile insurance tax'' to subsidize non-economic tort awards and inflated insurance claims. With these new reforms, drivers will realize what is essentially a huge tax cut, without any countervailing decrease in government service delivery.

Without the benefits of Auto-Choice, drivers will continue to pay high premiums. As I have stated previously in testimony submitted in 1997 to the Senate Committee on Commerce, Science and Transportation concerning the introduction of Auto-Choice legislation in the Senate: ''Residents, as taxpayers, lose money that could otherwise be spent on essential services. Residents, as individuals, lose money otherwise available as disposable income. Residents, as consumers, lose money because the cost of goods and services increases as businesses have to pay higher insurance premiums. Finally, and perhaps most disturbingly, residents lose faith in our judicial system as a result of courts clogged with tort litigation only to be outdone by hospital emergency rooms clogged with ambulance-chasing lawyers.''

In short, Auto-Choice would make an important difference in the lives of New Yorkers and drivers throughout the country. I look forward to opportunities to work with you in support of this important reform.

Sincerely,

RUDOLPH W. GIULIANI,
Mayor.

NORTHEASTERN UNIVERSITY,
DEPARTMENT OF POLITICAL SCIENCE,
Boston, MA, April 7, 1999.

I enthusiastically endorse the ''choice'' auto insurance bill you are jointly sponsoring. Your action is an important act of bipartisan leadership on an issue that significantly affects all Americans.

The issue you address has been a great concern of mine throughout my political career ever since I sponsored the first no-fault auto insurance bill in the nation.

Given the horrendous high costs of auto insurance, coupled with its long delays, high overhead, and rank unfairness when it comes to payment, your ''choice'' reform takes the sensible approach of allowing consumers to choose how to insure themselves. In other words, your reform trusts the American people to decide for themselves whether to spend their money on ''pain and suffering'' coverage or food, medicine, life insurance or any other expenditure they deem more valuable for themselves and their families.

The bill is particularly important to the people who live in American cities where premiums are the highest. It is no surprise that the cost studies done by the Joint Economic Committee indicate that while your reform will make stunning cost savings available to all American consumers, its largest benefit will go to low income drivers living in urban areas.

The bill will also help resolve the country's problems with runaway health costs. By allowing consumers to remove themselves from a system whose perverse incentives trigger the cost of health care costs, your reform will lower the cost of health care for all Americans while ensuring that health care

expenditures are more clearly targeted to health care needs.

I look forward to assisting you to the fullest degree as you exercise your vitally needed leadership on behalf of America's consumers.

MICHAEL S. DUKAKIS.

MIAMI, FL,
March 25, 1999.

TO WHOM IT MAY CONCERN: As an independent journalist and private citizen, I have been studying and working for automobile insurance reform for twenty years. I have written a book on the subject.

It astounds and saddens me that the system in Michigan—a state that knows something about automobiles—has not been adopted anywhere else in America. Michigan's coverage provides the seriously injured accident victim VASTLY better insurance protection than anywhere else. Yet it costs less than average. It has worked well for 25 years, more than proving itself. It is not perfect, but most consumer advocates agree it is by far the most humane, efficient, and least fraud-ridden system in the country.

And yet the coalition of labor unions and consumer groups that helped pass the Michigan law has failed to duplicate this success anywhere else. And over time, things in most states have only gotten worse. More uninsured motorists, more fraud, higher premiums, and even more shamefully inadequate compensation to those most seriously injured.

Given that reality, Senators Lieberman and Moynihan, and Jim Moran in the House, have got it absolutely right in supporting Auto Choice legislation. It is not perfect either. But it allows the man or woman who earns $9 an hour, let alone less, to opt out of a system that forces him or her, in effect, to shoulder the cost of the $125-an-house insurance company lawyer who will fight his claim . . . shoulder also, the enormous cost of padded and fraudulent claims . . . and then, if he wins, typically fork over 33% or 40% of the settlement, plus expenses, to his own attorney.

These attorneys are good people. But as virtually every disinterested observer from Richard Nixon in 1934 to Consumers Union in 1962 and periodically thereafter has said, the current lawsuit system of auto insurance makes no sense. It makes no sense that more auto-injury premium dollars in many states go to lawyers than to doctors, hospitals, chiropractors and rehabilitation specialists combined. Yet that is the case. Give consumers the choice to opt out of this system. The only difference from 1934 and 1962 and 1973 (when Michigan enacted its good system) is . . . it's gotten worse.

Sincerely,

ANDREW TOBIAS.

AMERICANS FOR TAX REFORM,
Washington, DC, March 29, 1999.

Hon. MITCH MCCONNELL,
Russell Senate
Washington, DC.

DEAR SENATOR MCCONNELL: Americans for Tax Reform wholeheartedly endorses the ''Auto Choice Reform Act'' legislation to provide consumer choice in automobile insurance.

Automobile insurance rates have skyrocketed during the last ten years. Between 1987 and 1994, premiums rose more than 40 percent—one-and-a-half time the rate of inflation. In 1995, the average policy cost more than $750. Clearly, these costs must be reduced, and we believe your legislation will achieve this goal.

Auto choice provides savings of about 45 percent on average for personal injury premiums for drivers that choose the PIP option. Especially, auto choice aids low-income drivers, who would save about 36 percent on their overall premiums. Not only does this plan give savings, but it will enable more low-income workers to get better paying jobs.

Most importantly, your bill gives consumers something they really want—a chance to choose the kind of auto insurance that fits their individual needs.

Auto choice is an idea whose time has come. ATR supports your efforts to make it a reality.

Sincerely,

GROVER G. NORQUIST,
President.

CITIZENS FOR A SOUND ECONOMY,
Washington, DC, April 13, 1999.

Senator MITCH MCCONNELL,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of Citizens for a Sound Economy and its 250,000 members, I wish to convey our strong support for the Auto Choice Reform Act of 1999.

Most Americans rightly believe that they pay too much for auto insurance. And year after year, state legislatures and insurance departments respond with price controls and underwriting restrictions, which only make matters worse. The Auto Choice Reform Act of 1999 is based on the realization that to reduce the cost of auto insurance, two elements of the accident compensation system must be addressed: Losses resulting from bodily injury, including damages for ''pain and suffering''; and the tort-based system for redressing those losses.

Under the tort-based compensation system that operates in most states, accident victims may not file bodily injury claims with their own insurance company. Instead, they must try to collect from the other driver's insurer—which they can do only if they succeed in establishing that the other driver was legally at fault for their injuries. Compensating accident victims in this way is costly, inefficient, and time consuming. Trial lawyers, who constitute one of the most powerful special interests in America, are the primary beneficiaries of the current system.

Those eligible for compensation under the current tort-based system are subject to a perverse pattern of recovery. People with minor injuries are often vastly overcompensated, while in many cases the seriously injured cannot recover nearly enough to cover their economic losses.

''Contingency'' fee arrangements, whereby insureds agree to pay their attorneys a percentage of whatever sum they receive as compensation for their losses, siphon away about a third of an injured person's recovery award. Meanwhile, insurance costs are driven up because of the tort system's promise to compensate victims for their ''noneconomic damages.'' A catchall term that generally refers to ''pain and suffering,'' noneconomic damages are wildly subjective and impossible to quantify. Usually the successful claimant simply collects some multiple of his economic losses—typically three times—as compensation for pain and suffering.

This system creates a powerful incentive to inflate economic damages, typically by claiming unverifiable soft-tissue injuries. In Michigan, where third-party liability for pain and suffering has been virtually eliminated thanks to the state's strong no-fault law, auto accident victims suffer about seven soft-tissue injuries (sprains, strains, pains and whiplash) for every 10 ''hard'' injuries (such as broken bones). By contrast, in California, where auto accident victims are compensated through the tort system, injured motorists claim about 25 soft-tissue injuries for every 10 verifiable hard injuries. The ratio of soft-tissue injuries to hard-tissue injuries is similar in other tort states and states with weak no-fault laws. Obviously, these disparities raise troubling questions about the legitimacy of many soft-tissue injury claims—troubling, because ultimately the cost of inflated medical damages is passed on to all drivers in the form of higher premiums.

If the Auto Choice Reform Act becomes law, drivers will be able to choose either pure no-fault coverage, or a package that would allow them to collect pain and suffering damages from their own insurer, or from the insurers of other drivers with similar premium coverage. ''Pain and suffering'' would thus become an insurable risk, limiting legal liability to cases involving egregious behavior, or where both parties have agreed to pay, in the form of higher premiums, for the privilege of engaging the legal system. Meanwhile, truly negligent drivers—those who cause accidents intentionally, or while impaired by drugs or alcohol—would continue to be liable for their behavior, in addition to being subject to criminal sanctions.

By curtailing litigation and attorney involvement in the claim-settlement process, the Auto Choice Reform Act would have a dramatic impact on auto insurance rates. The RAND Institute for Civil Justice estimates that drivers choosing the no-fault option would reduce their premiums by 21 percent on average.

The Auto Choice Reform Act would yield even greater benefits to low-income motorists, who are increasingly dependent upon personal auto transportation at a time when welfare rolls are being cut and jobs are being transferred from the central city to the suburbs. Happily, the Congressional Joint Economic Committee has determined that low-income drivers could cut their premiums by as much as 48 percent if the Auto Choice Reform Act becomes law.

In sum, by allowing policyholders to opt out of the tort system, the Auto Choice Insurance Reform Act would rely on market forces—rather than price controls and hidden cross-subsidies—to drive down auto insurance premiums.

Serious efforts to reform auto insurance at the state level have been stymied repeatedly by the trial lawyers' lobby. Inflated medical bills, attorney fees, court costs, and exorbitant pain-and-suffering awards continue to impose tremendous costs on the automobile insurance system—costs that insurers must pass on to consumers in the form of escalating premiums. Because they profit handsomely from the inefficiencies wrought by this system, trial lawyers and their political allies will doubtless make every effort to defeat the Auto Choice Reform Act of 1999. Their desire to maintain the status quo must not be permitted to prevail over the interests of America's motorists.

Sincerely yours,

ROBERT R. DETLEFSEN, Ph.D.,
Director, Insurance
Reform Project.

CHAMBER OF COMMERCE,
OF THE UNITED STATES OF AMERICA,
Washington, DC, April 15, 1999.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCONNELL: I am writing on behalf of the U.S. Chamber of Commerce, the world's largest business federation, representing more than three million businesses and organizations of every size, sector, and region, to commend you for your continued leadership and sponsorship of the Auto Choice Reform Act.

This legislation would provide motorists and businesses with a very valuable option. They could cut their automobile insurance premiums by over 20 percent by voluntarily opting out of coverage for pain and suffering injuries in auto accidents. Those choosing this option would continue to receive full compensation for medical bills, lost wages and other economic losses, and would receive payment quickly—within 30 days. Those who wish to retain coverage similar to that presently available could do simply by paying higher rates.

As the largest business federation, the U.S. Chamber of Commerce supports this legislation and a similar bill in the House of Representatives because they provide a more affordable and efficient insurance option for businesses and motorists. Last year, the Joint Economic Committee (JEC) estimated that enactment of Auto Choice legislation could allow consumers to receive an annual auto insurance premium reduction of over $27 billion. This amounts to an average annual savings of $184 per car. Of particular importance to businesses, the JEC also estimated that commercial vehicle owners could see their auto insurance premiums decline by over 27 percent for a total business savings of $8 billion per year. This is equivalent to a huge tax cut for all Americans.

The U.S. Chamber pledges to continue to support this important legislation. Through our grassroots network and media outreach, we will inform the business community and public about the key benefits of this proposal. We thank and commend you for your leadership on the Auto Choice Reform Act and look forward to working with you for its successful passage.

Sincerely,

B. BRUCE JOSTEN.

Mr. MOYNIHAN. Mr. President, I am pleased to be an original cosponsor of the Auto Choice Reform Act of 1999, a bill submitted by my distinguished colleague, Senator MCCONNELL. This legislation is designed to create a new option in auto insurance for consumers who would prefer a system that guarantees quick and complete compensation. This alternative system would change most insurance coverage to a first-party system from a third-party system and it would separate economic and noneconomic compensation by unbundling the premium. Therefore, drivers would be allowed to insure themselves for only economic loss or for both economic and noneconomic loss.

I simply would remark that this issue has been with us for 30-odd years and I wish to provide some of the background and a particular perspective.

The automobile probably has generated more externalities, as economists and authors Alan K. Campbell and Jesse Burkhead remarked, than any other device or incident in human history. And one of them is the issue of insurance, litigation, and compensation in the aftermath of what are called ''accidents'' but are nothing of the kind and are the source of so much misunderstanding.

When a certain number of ''accidents'' occur (I think that in 1894, if memory serves, there were two automobiles in St. Louis, MO, and they managed to collide—at least, it has been thought thus ever since), they become statistically predictable collisions—foreseeable events—in a complex transportation system such as the one we have built.

This began to be a subject of epidemiology in the 1940's, and by the 1950's, we had the hang of it. We knew what we were dealing with and how to approach it.

The first thing that we did—I think it fair to say it was done in New York under the Harriman administration, of which I was a member—was to introduce the concept of passenger safety into highway and vehicle design. Safety initiatives were undertaken, first at the State level. The, in 1966, Congress passed two bills, the National Traffic and Motor Vehicle Safety Act and the Highway Safety Act, to establish pervasive Federal regulation. At the time, the last thing in the world an automobile manufacturer would suggest was that its product was a car in which one could safely have an accident! Perhaps other motorists, driving other companies cars, had accidents. It took quite a bit of learning—social learning—but eventually it happened: safety features such as padded steering wheels and dashboards, seat belts, and airbags became integral design considerations. Now it is routine; we take such features for granted. It wasn't always thus. Social learning.

And then the issue of insurance and litigation and so forth arose. In 1967, if I could say, which would be 32 years ago, I wrote an article for The New York Time Magazine, which simply said, ''Next, a new auto insurance policy.'' By ''next,'' I meant a natural evolution, building on the epidemiological knowledge we had developed regarding the incidence of collisons and the trauma they caused to drivers, passengers, and pedestrians. And I had a good line here, I think: ''Automobile accident litigation has become a twentieth-century equivalent of Dickens's Court of Chancery, eating up the pittance of widows of orphans, a vale from which few return with their respect for justice undiminished.''

The are several fundamental problems with the current system of auto insurance, as I explained back then. First, determining fault, necessary in a tort system, is no easy task in most instances. Typically, there are few witnesses. And the witnesses certainly aren't ''expert.'' The collisions are too fast, too disorienting. And adjudicating a case typical occurs long after the collision. Memories fade.

More important, as I remarked at the time, is that ''no one involved (in the insurance system) has any incentive to moderation or reasonableness. The victim has every reason to exaggerate his losses. It is some other person's insurance company that must pay. The company has every reason to resist. It is somebody else's customer who is making the claim.'' This leads to excessive litigation, costly legal fees, and inefficient, inequitable compensation.

A 1992 survey of the nation's most populous counties by the U.S. Department of Justice found that tort cases make up about one-half of all civil cases filed in state courts. Auto collision-related lawsuits account for 60 percent of these tort cases—more than all other types of tort lawsuits combined. Such lawsuits are time consuming: 31 percent of automobile tort cases take over one year to process. They are clogging our courts, displacing other types of civil litigation far more important to society.

And for all the time, money, and effort these lawsuits consume, they do not compensate victims adequately. On average, victims with losses between $25,000 and $100,000 recover just over half (56 percent) of their losses, and those persons with losses over $100,000 receive just nine cents on the dollar in compensation.

''Auto Choice,'' as our legislation is known, will curtail excessive litigation by changing insurance coverage to a first-party system—at the driver's option. Individuals will insure themselves against economic damages regardless of fault. They can, if they wish, insure for non-economic losses, too. They simply pay a higher premium. In the event they sustain damages in a collision, under Auto Choice, they bypass litigation altogether, and they receive just and adequate compensation in a timely fashion.

I earnestly hope that Congress will enact this important legislation this year. It will benefit all American motorists. Its savings are bigger than any tax cut Congress is likely to enact, and they won't affect our ability to balance the budget. But even more important, I think, is the fact that ''auto choice'' will take some of the strain off our overburdened judiciary. I don't know if we can calculate the value of such a benefit.

Mr. LIEBERMAN. Mr. President, I rise in strong support of the bill we are introducing today: the Auto Choice Reform Act of 1999. If enacted, this bill would save American consumers tens of billions of dollars, while at the same time producing an auto insurance system that operates more efficiently and promises drivers better and quicker compensation.

America's drivers are plagued today by an auto accident insurance and compensation system that is too expensive and that does not work. We currently pay an average of approximately $775 annually for our auto insurance per car. This is an extraordinarily large sum, and one that is particularly difficult for people of modest means—and almost impossible for poor people—to afford. A study of Maricopa County, AZ, drives this point home. That study found that families living below 50 percent of the poverty line spend nearly one-third of their household income on premiums when they purchase auto insurance.

Perhaps those costs would be worth it if they meant that people injured in

car accidents were fully compensated for their injuries. But under the current tort system, that often is not the case, particularly for people who are seriously injured. Because of the need to prove fault and the ability to receive compensation only through someone else's insurance policy, some injured drivers—like those in one car accidents or those who are found to have been at fault themselves—are left without any compensation at all. Others must endure years of litigation before receiving compensation for their injuries. In the end, many people who suffer minimal injuries in auto accidents end up overcompensated, while victims of serious injuries often fail to receive full restitution. Indeed, the extent to which seriously injured drivers are undercompensated in the current tort system is staggering: victims with economic losses—things like lost wages and medical bills—between $25,000 and $100,000 recover only 56 percent of their losses on average, while those with over $100,000 in economic losses get only about 9 percent back on average. Recite those numbers to anyone who tells you the current system works just fine the way it is.

The current system most hurts the very people who can afford it the least—the nation's poor and drivers who live in the nation's inner cities. The $775 average premium I mentioned is already far too much for people of modest means to afford. But for many residents of the inner cities a $775 premium is just a dream. As a report issued by Congress' Joint Economic Committee last year starkly detailed, inner city residents pay what can only be called a ''tort tax''—insurance rates that are often double those of their suburban neighbors. For example, a married man with no accidents or traffic violations living in Philadelphia pays $1,800 for an insurance policy that would cost him less than half that if he moved just over the line, out of Philadelphia County. The average annual premium for a 38-year old woman with a clean driving record living in central Los Angeles approaches $3,500. The statistic that I think best drives home the disproportionate amount poor people spend on auto insurance is this one: the typical low-income household spends more on auto insurance over two years than the entire value of their car.

The results of these high costs shouldn't surprise us. They lead many inner-city drivers to choose to drive uninsured, which is to say our auto insurance system makes outlaws of them and puts the rest of us in jeopardy, because people injured by an uninsured driver may have no place to go for compensation. Other inner-city residents simply decide not to own cars, something that in itself should trouble us. As the JEC's Report details, the lack of car ownership, combined with the dearth of jobs in the inner-cities, severely limits the ability of many city residents to find employment and lift themselves out of poverty.

The Auto Choice bill would go a long way towards solving all of these problems. By simply giving consumers a choice to opt out of the tort system, Auto Choice would bring all drivers who want it lower premiums. Auto Choice would save drivers nationally an average of 23 percent, or $184, annually—a total of over $35 billion. Connecticut drivers would see an average savings of $217 annually. Low-income drivers would see even more dramatic savings—an average of 36 percent nationally or 33 percent in Connecticut.

Here's how our plan would work: All drivers would be required to purchase a certain minimum level of insurance, but they would get to choose the type of coverage they want. Those drivers who value immediate compensation for their injuries and lower premiums would be able to purchase what we call ''personal injury protection insurance.'' If the driver with that type of coverage is injured in an accident, he or she would get immediate compensation for economic losses up to the limits of his or her policy, without regard to who was at fault in the accident.

If their economic losses exceeded those policy limits, the injured party could sue the other driver for the extra economic loss on a fault basis; The only thing the plaintiff could not do is sue the other driver for noneconomic losses, the so-called pain and suffering damages.

Those drivers who did not want to give up the ability to collect pain and suffering damages could choose a different option, called tort maintenance coverage. Drivers with that type of policy would be able to cover themselves for whatever level of economic and noneconomic damages they want, and they would then be able to collect those damages, also from their own insurance company, after proving fault.

As I mentioned earlier, the savings from this new Choice system would be dramatic—again, an average of $184 annually nationally, up to $35 billion each and every year under our proposal.

Our Auto Choice plan ensures that most injured people would be compensated immediately and that we all can purchase auto insurance at a reasonable rate. Mr. President, this bill would be a boon to the American driver and to the American economy. I look forward to working with my colleagues to see it enacted into law.

Mr. MCCAIN. Mr. President, I rise to join my colleagues in introducing legislation to provide consumers with a true choice when they purchase auto insurance. Not simply a choice between to insurance companies, but a choice between two different systems of insurance.

The current tort based liability system is expensive and inefficient. It pays more money to lawyers than for victims legitimate medical bills and lost wages. A study conducted in my home state of Arizona found that a low-income family spends as much as 31 percent of their disposable income on car insurance. As a result, families put off basic necessities such as rent, medical care and sometimes groceries. The current system needs to be changed.

The system proposed in our bill would allow consumers a more affordable alternative designed to provide adequate and timely compensation for accident victims and less need for layers. Under the new system when an accident occurs, the consumer's insurance company would compensate them for their economic losses, such as repair costs, medical bills and lost wages. In exchange, the consumer forgoes the right to sue for non-economic losses such as pain and suffering.

Consumers choosing to remain in the current system can bring suit as they do now. These consumers would purchase additional coverage to cover their non-economic damages in the event they have an accident with someone in the new system.

The purpose of this legislation is to allow consumers to choose the type of insurance that meets their needs. It also provides state legislatures a choice. This legislation allows states to ''opt out'' should they disagree with this proposal. States can ''opt out'' in two ways. First, the legislature can enact legislation declaring they will not participate in the new system. Secondly, the state insurance commissioner can find that the measure will not reduce bodily injury premiums by 30 percent. This opt out provision is reasonable and will give states a true choice.

Again, I am pleased to join my colleagues in introducing this measure. I look forward to moving it through the legislative process.

By Mr. DOMENICI:

S. 838. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

JUVENILE CRIME CONTROL AND COMMUNITY PROTECTION ACT OF 1999

Mr. DOMENICI. Mr. President, I rise today to introduce the ''Juvenile Crime Control and Community Protection Act of 1999.'' I believe that juvenile crime is one of the most important issues facing our nation today. It's one we should address in the 106th Congress.

In recent years, I have held field hearings in my home state of New Mexico to hear the concerns and problems faced by all of the people affected by juvenile crime—the police, prosecutors, judges, social workers and most importantly—the victims who reside in our communities.

I think that the sentiments expressed by most of my constituents at the hearing are the same ones felt by people all over the country:

(1) many of our nation's youth are out of control;

(2) other children and teenagers do not have enough constructive things to

do to keep them from falling into delinquent or criminal behavior;

(3) the current system does very little, if anything, to protect the public from youth violence; and

(4) the current system has failed victims.

The time has come for a new federal role to assist the states with their efforts to get tough on violent young criminals.

The federal government can play a larger role in punishing and preventing youth violence without tying the hands of state and local governments or preventing them from implementing innovative solutions to the problem.

This new federal role should, however, expect states to get tough on youth violence and reward them for enacting law enforcement and prosecution policies designed to take violent juvenile criminals off of the street.

With those goals in mind, the bill I introduce today makes some fundamental changes to the crime fighting partnership which exists between the states and the federal government.

It combines strict law enforcement and prosecution policies for the most violent offenders with more federal resources—more than three times the amount available under current law—to help states fight crime and prevent juveniles from entering the justice system in the first place.

This bill authorizes a total of $500 million to provide the states with two separate grant programs—one, with virtually no strings attached, based on the current state formula grants—and a second new incentive grant program for states which enact certain ''best practices'' to combat and prevent juvenile violence. I want to talk a little bit about each.

The bill authorizes $300 million, divided into two $150 million pots, for a new grant program for states which enact certain ''get tough'' reforms to their juvenile justice systems. States will have access to the first $150 million if they enact three practices:

(1) *Mandatory adult prosecution* for juveniles age 14 and older who commit certain serious violent crimes;

(2) *Graduated sanctions,* so that every offense, no matter how small, receives some punishment; and

(3) *Adult records,* including fingerprints and photographs, for juvenile criminals.

States which implement these practices and enact another five of 20 suggested reforms will be eligible to receive additional funds from the second $150 million. Some of these suggested reforms include:

(1) Victims' rights, including the right to be notified of the sentencing and release of the offender;

(2) Mandatory victim restitution;

(3) Public access to juvenile proceedings;

(4) Parental responsibility laws for acts committed by juveniles released to their parents' custody;

(5) Zero tolerance for deadbeat juvenile parents—a requirement that juveniles released from custody attend school or vocational training and support their children;

(6) Zero tolerance for truancy;

(7) Character counts training programs; and

(8) Mentoring.

These programs are a combination of reforms which will positively impact victims, get tough on juvenile offenders, and provide states with resources to implement prevention programs to keep juveniles out of trouble in the first place.

The bill also increases to $200 million the amount available to states under the current OJJDP grant program. It also eliminates many of the strings placed on states as a condition of receiving those grants.

While the Justice Department has said that the overall juvenile crime rate in the United States dropped again last year, the juvenile crime statistics also tell us that our young people are more violent than ever. In 1996 in my home state of New Mexico, there were 36,927 referrals to the state juvenile parole and probation office. 39% of those referred have a history of 10 or more contacts with the justice system. The number of these referrals for VIOLENT offenses, including murder, robbery, assault and rape increased 64 percent from 1993 to 1997.

I mention these numbers not only because they make it clear that many of our children are more violent than ever, but also because they have led to a growing problem in my home state, a problem which this bill will help fix. More juvenile arrests create the need for more space to house juvenile criminals. But, because of burdensome federal ''sight and sound separation'' rules, New Mexico has been unable to implement a safe, reasonable solution to alleviate overcrowding at its juvenile facilities.

Instead, the state has been forced to consider sending juvenile prisoners to Iowa and Texas to avoid violating the federal rules and losing their funding. That is unacceptable and this bill will fix that.

Mr. President, juvenile crime is the number one concern in my state. From Albuquerque to Las Cruces, Roswell to Farmington, and in even smaller cities like Clovis and Silver City, I hear the same thing from my constituents: our children are out of control and we need help. This bill will provide that help, in a way which will preserve the traditional role state and local law enforcement authorities play in the fight against crime. More resources to get tough on violent offenders and provide youth with more constructive things to do to keep them out of trouble, with fewer strings from the federal government. That's what this bill will do, and I hope my colleagues will support my efforts to make this a priority issue for this Congress.

I 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. 838

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 ''Juvenile Crime Control and Community Protection 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. Severability.

TITLE I—REFORM OF EXISTING PROGRAMS

Sec. 101. Findings and purposes.
Sec. 102. Definitions.
Sec. 103. Office of Juvenile Justice and Delinquency Prevention.
Sec. 104. Annual report.
Sec. 105. Block grants for State and local programs.
Sec. 106. State plans.
Sec. 107. Repeals.

TITLE II—INCENTIVE GRANTS FOR ACCOUNTABILITY-BASED REFORMS

Sec. 201. Incentive grants for accountability-based reforms.

TITLE III—GENERAL PROVISIONS

Sec. 301. Authorization of appropriations.

SEC. 2. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

TITLE I—REFORM OF EXISTING PROGRAMS

SEC. 101. FINDINGS AND PURPOSES.

(a) FINDINGS.—Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) FINDINGS.—Congress finds that—

''(1) the Nation's juvenile justice system is in trouble, including dangerously overcrowded facilities, overworked field staff, and a growing number of children who are breaking the law;

''(2) a redesigned juvenile corrections program for the next century should be based on 4 principles, including—

''(A) protecting the community;

''(B) accountability for offenders and their families;

''(C) restitution for victims and the community; and

''(D) community-based prevention;

''(3) existing programs have not adequately responded to the particular problems of juvenile delinquents in the 1990's;

''(4) State and local communities, which experience directly the devastating failure of the juvenile justice system, do not have sufficient resources to deal comprehensively with the problems of juvenile crime and delinquency;

''(5) limited State and local resources are being unnecessarily wasted complying with overly technical Federal requirements for 'sight and sound' separation currently in effect under the 1974 Act, while prohibiting the commingling of adults and juvenile populations would achieve this important purpose without imposing an undue burden on State and local governments;

''(6) limited State and local resources are being unnecessarily wasted complying with the overly restrictive Federal mandate that no juveniles be detained or confined in any jail or lockup for adults, which mandate is particularly burdensome for rural communities;

''(7) the juvenile justice system should give additional attention to the problem of juveniles who commit serious crimes, with particular attention given to the area of sentencing;

''(8) local school districts lack information necessary to track serious violent juvenile offenders, information that is essential to promoting safety in public schools;

''(9) the term 'prevention' should mean both ensuring that families have a greater chance to raise their children so that those children do not engage in criminal or delinquent activities, and preventing children who have engaged in such activities from becoming permanently entrenched in the juvenile justice system;

''(10) in 1994, there were more than 330,000 juvenile arrests for violent crimes, and between 1985 and 1994, the number of juvenile criminal homicide cases increased by 144 percent, and the number of juvenile weapons cases increased by 156 percent;

''(11) in 1994, males age 14 through 24 constituted only 8 percent of the population, but accounted for more than 25 percent of all homicide victims and nearly half of all convicted murderers;

''(12) in a survey of 250 judges, 93 percent of those judges stated that juvenile offenders should be fingerprinted, 85 percent stated that juvenile criminal records should be made available to adult authorities, and 40 percent stated that the minimum age for facing murder charges should be 14 or 15;

''(13) studies indicate that good parenting skills, including normative development, monitoring, and discipline, clearly affect whether children will become delinquent, and adequate supervision of free-time activities, whereabouts, and peer interaction is critical to ensure that children do not drift into delinquency;

''(14) school officials lack the information necessary to ensure that school environments are safe and conducive to learning;

''(15) in the 1970's, less than half of our Nation's cities reported gang activity, while 2 decades later, a nationwide survey reported a total of 23,388 gangs and 664,906 gang members on the streets of United States cities in 1995;

''(16) the high incidence of delinquency in the United States results in an enormous annual cost and an immeasurable loss of human life, personal security, and wasted human resources; and

''(17) juvenile delinquency constitutes a growing threat to the national welfare, requiring immediate and comprehensive action by the Federal Government to reduce and eliminate the threat.''; and

(2) in subsection (b)—

(A) by striking ''further''; and

(B) by striking ''Federal Government'' and inserting ''Federal, State, and local governments''.

(b) PURPOSES.—Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended to read as follows:

''SEC. 102. PURPOSES.

''The purposes of this title and title II are—

''(1) to assist State and local governments in promoting public safety by supporting juvenile delinquency prevention and control activities;

''(2) to give greater flexibility to schools to design academic programs and educational services for juvenile delinquents expelled or suspended for disciplinary reasons;

''(3) to assist State and local governments in promoting public safety by encouraging accountability through the imposition of meaningful sanctions for acts of juvenile delinquency;

''(4) to assist State and local governments in promoting public safety by improving the extent, accuracy, availability, and usefulness of juvenile court and law enforcement records and the openness of the juvenile justice system to the public;

''(5) to assist teachers and school officials in ensuring school safety by improving their access to information concerning juvenile offenders attending or intending to enroll in their schools or school-related activities;

''(6) to assist State and local governments in promoting public safety by encouraging the identification of violent and hardcore juveniles and in transferring such juveniles out of the jurisdiction of the juvenile justice system and into the jurisdiction of adult criminal court;

''(7) to provide for the evaluation of federally assisted juvenile crime control programs, and training necessary for the establishment and operation of such programs;

''(8) to ensure the dissemination of information regarding juvenile crime control programs by providing a national clearinghouse; and

''(9) to provide technical assistance to public and private nonprofit juvenile justice and delinquency prevention programs.''.

SEC. 102. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3), by inserting ''punishment,'' after ''control,'';

(2) in paragraph (22)(iii), by striking ''and'' at the end;

(3) in paragraph (23), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(24) the term 'serious violent crime' means—

''(A) murder or nonnegligent manslaughter, or robbery;

''(B) aggravated assault committed with the use of a dangerous or deadly weapon, forcible rape, kidnaping, felony aggravated battery, assault with intent to commit a serious violent crime, and vehicular homicide committed while under the influence of an intoxicating liquor or controlled substance; or

''(C) a serious drug offense;

''(25) the term 'serious drug offense' means an act or acts which, if committed by an adult subject to Federal criminal jurisdiction, would be punishable under section 401(b)(1)(A) or 408 of the Controlled Substances Act (21 U.S.C. 841(b)(1)(A), 848) or section 1010(b)(1)(A) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(1)(A)); and

''(26) the term 'serious habitual offender' means a juvenile who—

''(A) has been adjudicated delinquent and subsequently arrested for a capital offense, life offense, first degree aggravated sexual offense, or serious drug offense;

''(B) has had not fewer than 5 arrests, with 3 arrests chargeable as felonies if committed by an adult and not fewer than 3 arrests occurring within the most recent 12-month period;

''(C) has had not fewer than 10 arrests, with 2 arrests chargeable as felonies if committed by an adult and not fewer than 3 arrests occurring within the most recent 12-month period; or

''(D) has had not fewer than 10 arrests, with 8 or more arrests for misdemeanor crimes involving theft, assault, battery, narcotics possession or distribution, or possession of weapons, and not fewer than 3 arrests occurring within the most recent 12-month period.''.

SEC. 103. OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)(1)—

(A) by striking ''shall develop'' and inserting the following: ''shall—

''(A) develop'';

(B) by inserting ''punishment,'' before ''diversion''; and

(C) in the first sentence, by striking ''States'' and all that follows through the end of the paragraph and inserting the following: ''States; and

''(B) annually submit the plan required by subparagraph (A) to the Congress.'';

(2) in subsection (b)—

(A) in paragraph (1), by adding ''and'' at the end; and

(B) by striking paragraphs (2) through (7) and inserting the following:

''(2) reduce duplication among Federal juvenile delinquency programs and activities conducted by Federal departments and agencies.'';

(3) by redesignating subsection (h) as subsection (f); and

(4) by striking subsection (i).

SEC. 104. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended to read as follows:

''SEC. 207. ANNUAL REPORT.

''Not later than 180 days after the end of a fiscal year, the Administrator shall submit to the President, the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Governor of each State, a report that contains the following with respect to such fiscal year:

''(1) SUMMARY AND ANALYSIS.—A detailed summary and analysis of the most recent data available regarding the number of juveniles taken into custody, the rate at which juveniles are taken into custody, the number of repeat juvenile offenders, the number of juveniles using weapons, the number of juvenile and adult victims of juvenile crime and the trends demonstrated by the data required by subparagraphs (A), (B), and (C). Such summary and analysis shall set out the information required by subparagraphs (A), (B), (C), and (D) separately for juvenile nonoffenders, juvenile status offenders, and other juvenile offenders. Such summary and analysis shall separately address with respect to each category of juveniles specified in the preceding sentence—

''(A) the types of offenses with which the juveniles are charged, data on serious violent crimes committed by juveniles, and data on serious habitual offenders;

''(B) the race and gender of the juveniles and their victims;

''(C) the ages of the juveniles and their victims;

''(D) the types of facilities used to hold the juveniles (including juveniles treated as adults for purposes of prosecution) in custody, including secure detention facilities, secure correctional facilities, jails, and lockups;

''(E) the number of juveniles who died while in custody and the circumstances under which they died;

''(F) the educational status of juveniles, including information relating to learning disabilities, failing performance, grade retention, and dropping out of school;

''(G) the number of juveniles who are substance abusers; and

''(H) information on juveniles fathering or giving birth to children out of wedlock, and whether such juveniles have assumed financial responsibility for their children.

''(2) ACTIVITIES FUNDED.—A description of the activities for which funds are expended under this part.

''(3) STATE COMPLIANCE.—A description based on the most recent data available of the extent to which each State complies with section 223 and with the plan submitted under that section by the State for that fiscal year.

''(4) SUMMARY AND EXPLANATION.—A summary of each program or activity for which assistance is provided under part C or D, an evaluation of the results of such program or activity, and a determination of the feasibility and advisability of replacing such program or activity in other locations.

''(5) EXEMPLARY PROGRAMS AND PRACTICES.—A description of selected exemplary delinquency prevention programs and accountability-based youth violence reduction practices.''.

SEC. 105. BLOCK GRANTS FOR STATE AND LOCAL PROGRAMS.

Section 221 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' before ''The Administrator''; and

(B) by inserting before the period at the end the following: '', including—

''(A) initiatives for holding juveniles accountable for any act for which they are adjudicated delinquent;

''(B) increasing public awareness of juvenile proceedings;

''(C) improving the content, accuracy, availability, and usefulness of juvenile court and law enforcement records (including fingerprints and photographs); and

''(D) education programs such as funding for extended hours for libraries and recreational programs which benefit all juveniles''; and

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) Of amounts made available to carry out this part in any fiscal year, $10,000,000 or 1 percent (whichever is greater) may be used by the Administrator—

''(A) to establish and maintain a clearinghouse to disseminate to the States information on juvenile delinquency prevention, treatment, and control; and

''(B) to provide training and technical assistance to States to improve the administration of the juvenile justice system.''.

SEC. 106. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) by striking the second sentence;

(B) by striking paragraph (3) and inserting the following:

''(3) provide for an advisory group, which—

''(A) shall—

''(i)(I) consist of not less than 5 members appointed by the chief executive officer of the State; and

''(II) consist of a majority of members (including the chairperson) who are not full-time employees of the Federal Government, or a State or local government;

''(ii) include members who have training, experience, or special knowledge concerning—

''(I) the prevention and treatment of juvenile delinquency;

''(II) the administration of juvenile justice, including law enforcement; and

''(III) the representation of the interests of the victims of violent juvenile crime and their families; and

''(iii) include as members at least 1 locally elected official representing general purpose local government;

''(B) shall participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action;

''(C) shall be afforded an opportunity to review and comment, not later than 30 days after the submission to the advisory group, on all juvenile justice and delinquency prevention grants submitted to the State agency designated under paragraph (1);

''(D) shall, consistent with this title—

''(i) advise the State agency designated under paragraph (1) and its supervisory board; and

''(ii) submit to the chief executive officer and the legislature of the State not less frequently than annually recommendations regarding State compliance with this subsection; and

''(E) may, consistent with this title—

''(i) advise on State supervisory board and local criminal justice advisory board composition;

''(ii) review progress and accomplishments of projects funded under the State plan; and

''(iii) contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system;'';

(C) in paragraph (10)—

(i) in subparagraph (N), by striking ''and'' at the end;

(ii) in subparagraph (O), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(P) programs implementing the practices described in paragraphs (6) through (12) and (17) and (18) of section 242(b);'';

(D) by striking paragraph (13) and inserting the following:

''(13) provide assurances that, in each secure facility located in the State (including any jail or lockup for adults), there is no commingling in the same cell or community room of, or any other regular, sustained, physical contact between any juvenile detained or confined for any period of time in that facility and any adult offender detained or confined for any period of time in that facility, except that this paragraph may not be construed to prohibit the use of a community room or other common area of the facility by such juveniles and adults at different times, or to prohibit the use of the same staff for both juvenile and adult inmates;'';

(E) by striking paragraphs (8), (9), (12), (14), (15), (17), (18), (19), (24), and (25);

(F) by redesignating paragraphs (10), (11), (13), (16), (20), (21), (22), and (23) as paragraphs (8) through (15), respectively;

(G) in paragraph (14), as redesignated, by adding ''and'' at the end; and

(H) in paragraph (15), as redesignated, by striking the semicolon at the end and inserting a period; and

(2) by striking subsections (c) and (d).

SEC. 107. REPEALS.

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in title II—

(A) by striking parts C, E, F, G, and H;

(B) by striking part I, as added by section 2(i)(1)(C) of Public Law 102–586; and

(C) by amending the heading of part I, as redesignated by section 2(i)(1)(A) of Public Law 102–586, to read as follows:

''PART E—GENERAL AND ADMINISTRATIVE PROVISIONS''; and

(2) by striking title V, as added by section 5(a) of Public Law 102–586.

TITLE II—INCENTIVE GRANTS FOR ACCOUNTABILITY-BASED REFORMS

SEC. 201. INCENTIVE GRANTS FOR ACCOUNTABILITY-BASED REFORMS.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part B the following:

''PART C—INCENTIVE GRANTS FOR ACCOUNTABILITY-BASED REFORMS

"SEC. 241. AUTHORIZATION OF GRANTS.

''The Administrator shall provide juvenile delinquent accountability grants under section 242 to eligible States to carry out this title.

"SEC. 242. ACCOUNTABILITY-BASED INCENTIVE GRANTS.

''(a) ELIGIBILITY FOR GRANT.—To be eligible to receive a grant under section 241, a State shall submit to the Administrator an application at such time, in such form, and containing such assurances and information as the Administrator may require by rule, including assurances that the State has in effect (or will have in effect not later than 1 year after the date on which the State submits such application) laws, or has implemented (or will implement not later than 1 year after the date on which the State submits such application)—

''(1) policies and programs that ensure that all juveniles who commit an act after attaining 14 years of age that would be a serious violent crime if committed by an adult are treated as adults for purposes of prosecution, unless on a case-by-case basis, as a matter of law or prosecutorial discretion, the transfer of such juveniles for disposition in the juvenile system is determined to be in the interest of justice, except that the age of the juvenile alone shall not be determinative of whether such transfer is in the interest of justice;

''(2) graduated sanctions for juvenile offenders, ensuring a sanction for every delinquent or criminal act, ensuring that the sanction is of increasing severity based on the nature of the act, and escalating the sanction with each subsequent delinquent or criminal act; and

''(3) a system of records relating to any adjudication of juveniles less than 15 years of age who are adjudicated delinquent for conduct that if committed by an adult would constitute a serious violent crime, which records are—

''(A) equivalent to the records that would be kept of adults arrested for such conduct, including fingerprints and photographs;

''(B) submitted to the Federal Bureau of Investigation in the same manner in which adult records are submitted;

''(C) retained for a period of time that is equal to the period of time that records are retained for adults; and

''(D) available to law enforcement agencies, prosecutors, the courts, and school officials.

''(b) STANDARDS FOR HANDLING AND DISCLOSING INFORMATION.—School officials referred to in subsection (a)(3)(D) shall be subject to the same standards and penalties to which law enforcement and juvenile justice system employees are subject under Federal and State law for handling and disclosing information referred to in that paragraph.

''(c) ADDITIONAL AMOUNT BASED ON ACCOUNTABILITY-BASED YOUTH VIOLENCE REDUCTION PRACTICES.—A State that receives a grant under subsection (a) is eligible to receive an additional amount of funds added to such grant if such State demonstrates that the State has in effect, or will have in effect, not later than 1 year after the deadline established by the Administrator for the submission of applications under subsection (a) for the fiscal year at issue, not fewer than 5 of the following practices:

''(1) VICTIMS' RIGHTS.—Increased victims' rights, including—

''(A) the right to be treated with fairness and with respect for the dignity and privacy of the victim;

''(B) the right to be reasonably protected from the accused offender;

''(C) the right to be notified of court proceedings; and

''(D) the right to information about the conviction, sentencing, imprisonment, and release of the offender.

''(2) RESTITUTION.—Mandatory victim and community restitution, including statewide programs to reach restitution collection levels of not less than 80 percent.

''(3) ACCESS TO PROCEEDINGS.—Public access to juvenile court delinquency proceedings.

''(4) PARENTAL RESPONSIBILITY.—Juvenile nighttime curfews and parental civil liability for serious acts committed by juveniles released to the custody of their parents by the court.

''(5) ZERO TOLERANCE FOR DEADBEAT JUVENILE PARENTS.—A requirement as conditions of parole that—

''(A) any juvenile offender who is a parent demonstrates parental responsibility by working and paying child support; and

''(B) the juvenile attends and successfully completes school or pursues vocational training.

''(6) SERIOUS HABITUAL OFFENDERS COMPREHENSIVE ACTION PROGRAM (SHOCAP).—

''(A) IN GENERAL.—Implementation of a serious habitual offender comprehensive action program which is a multidisciplinary interagency case management and information sharing system that enables the juvenile and criminal justice system, schools, and social service agencies to make more informed decisions regarding early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts.

''(B) MULTIDISCIPLINARY AGENCIES.—Establishment by units of local government in the State under a program referred to in subparagraph (A), of a multidisciplinary agency comprised of representatives from—

''(i) law enforcement organizations;

''(ii) school districts;

''(iii) State's attorneys offices;

''(iv) court services;

''(v) State and county children and family services; and

''(vi) any additional organizations, groups, or agencies deemed appropriate to accomplish the purposes described in subparagraph (A), including—

''(I) juvenile detention centers;

''(II) mental and medical health agencies; and

''(III) the community at large.

''(C) IDENTIFICATION OF SERIOUS HABITUAL OFFENDERS.—Each multidisciplinary agency established under subparagraph (B) shall adopt, by a majority of its members, criteria to identify individuals who are serious habitual offenders.

''(D) INTERAGENCY INFORMATION SHARING AGREEMENT.—

''(i) IN GENERAL.—Each multidisciplinary agency established under subparagraph (B) shall adopt, by a majority of its members, an interagency information sharing agreement to be signed by the chief executive officer of each organization and agency represented in the multidisciplinary agency.

''(ii) DISCLOSURE OF INFORMATION.—The interagency information sharing agreement shall require that—

''(I) all records pertaining to serious habitual offenders shall be kept confidential to the extent required by State law;

''(II) information in the records may be made available to other staff from member organizations and agencies as authorized by the multidisciplinary agency for the purposes of promoting case management, community supervision, conduct control, and tracking of the serious habitual offender for the application and coordination of appropriate services; and

''(III) access to the information in the records shall be limited to individuals who provide direct services to the serious habitual offender or who provide community conduct control and supervision to the serious habitual offender.

''(7) COMMUNITY-WIDE PARTNERSHIPS.—Community-wide partnerships involving county, municipal government, school districts, appropriate State agencies, and nonprofit organizations to administer a unified approach to juvenile delinquency.

''(8) ZERO TOLERANCE FOR TRUANCY.—Implementation by school districts of programs to curb truancy and implement certain and swift punishments for truancy, including parental notification of every absence, mandatory Saturday school makeup sessions for truants or weekends in jail for truants and denial of participation or attendance at extracurricular activities by truants.

''(9) ALTERNATIVE SCHOOLING.—A requirement that, as a condition of receiving any State funding provided to school districts in accordance with a formula allocation based on the number of children enrolled in school in the school district, each school district shall establish one or more alternative schools or classrooms for juvenile offenders or juveniles who are expelled or suspended for disciplinary reasons and shall require that such juveniles attend the alternative schools or classrooms. Any juvenile who refuses to attend such alternative school or classroom shall be immediately detained pending a hearing. If a student is transferred from a regular school to an alternative school for juvenile offenders or juveniles who are expelled or suspended for disciplinary reasons such State funding shall also be transferred to the alternative school.

''(10) JUDICIAL JURISDICTION.—A system under which municipal and magistrate courts have—

''(A) jurisdiction over minor delinquency offenses such as truancy, curfew violations, and vandalism; and

''(B) short term detention authority for habitual minor delinquent behavior.

''(11) ELIMINATION OF CERTAIN INEFFECTIVE PENALTIES.—Elimination of 'counsel and release' or 'refer and release' as a penalty for juveniles with respect to the second or subsequent offense for which the juvenile is referred to a juvenile probation officer.

''(12) REPORT BACK ORDERS.—A system of 'report back' orders when juveniles are placed on probation, so that after a period of time (not to exceed 2 months) the juvenile appears before and advises the judge of the progress of the juvenile in meeting certain goals.

''(13) PENALTIES FOR USE OF FIREARM.—Mandatory penalties for the use of a firearm during a violent crime or a drug felony.

''(14) STREET GANGS.—A prohibition on engaging in criminal conduct as a member of a street gang and imposition of severe penalties for terrorism by criminal street gangs.

''(15) CHARACTER COUNTS.—Establishment of character education and training for juvenile offenders.

''(16) MENTORING.—Establishment of mentoring programs for at-risk youth.

''(17) DRUG COURTS AND COMMUNITY-ORIENTED POLICING STRATEGIES.—Establishment of courts for juveniles charged with drug offenses and community-oriented policing strategies.

''(18) RECORDKEEPING AND FINGERPRINTING.—Programs that provide that, whenever a juvenile who has not achieved his or her 14th birthday is adjudicated delinquent (as defined by Federal or State law in a juvenile delinquency proceeding) for conduct that, if committed by an adult, would constitute a felony under Federal or State law, the State shall ensure that a record is kept relating to the adjudication that is—

''(A) equivalent to the record that would be kept of an adult conviction for such an offense;

''(B) retained for a period of time that is equal to the period of time that records are kept for adult convictions;

''(C) made available to prosecutors, courts, and law enforcement agencies of any jurisdiction upon request; and

''(D) made available to officials of a school, school district, or postsecondary school where the individual who is the subject of the juvenile record seeks, intends, or is instructed to enroll, and that such officials are held liable to the same standards and penalties that law enforcement and juvenile justice system employees are held liable to, for handling and disclosing such information.

''(19) EVALUATION.—Establishment of a comprehensive process for monitoring and evaluating the effectiveness of State juvenile justice and delinquency prevention programs in reducing juvenile crime and recidivism.

''(20) BOOT CAMPS.—Establishment of State boot camps with an intensive restitution or work and community service requirement as part of a system of graduated sanctions.

''SEC. 243. GRANT AMOUNTS.

''(a) ALLOCATION AND DISTRIBUTION OF FUNDS.—

''(1) ELIGIBILITY.—Of the total amount made available to carry out part C for each fiscal year, subject to subsection (b), each State shall be eligible to receive the sum of—

''(A) an amount that bears the same relation to one-third of such total as the number of juveniles in the State bears to the number of juveniles in all States;

''(B) an amount that bears the same relation to one-third of such total as the number of juveniles from families with incomes below the poverty line in the State bears to the number of such juveniles in all States; and

''(C) an amount that bears the same relation to one-third of such total as the average annual number of part 1 violent crimes reported by the State to the Federal Bureau of Investigation for the 3 most recent calendar years for which such data are available, bears to the number of part 1 violent crimes reported by all States to the Federal Bureau of Investigation for such years.

''(2) MINIMUM REQUIREMENT.—Each State shall be eligible to receive not less than 3.5 percent of one-third of the total amount appropriated to carry out part C for each fiscal year, except that the amount for which the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands is eligible shall be not less than $100,000 and the amount for which Palau is eligible shall be not less than $15,000.

''(3) UNAVAILABILITY OF INFORMATION.—For purposes of this subsection, if data regarding the measures governing allocation of funds under paragraphs (1) and (2) in any State are unavailable or substantially inaccurate, the Administrator and the State shall utilize the best available comparable data for the purposes of allocation of any funds under this section.

''(b) ALLOCATED AMOUNT.—The amount made available to carry out part C for any fiscal year shall be allocated among the States as follows:

''(1) 50 percent of the amount for which a State is eligible under subsection (a) shall be allocated to that State if it meets the requirements of section 242(a).

''(2) 50 percent of the amount for which a State is eligible under subsection (a) shall be

allocated to that State if it meets the requirements of subsections (a) and (c) of section 242.

''(c) AVAILABILITY.—Any amounts made available under this section to carry out part C shall remain available until expended.

''SEC. 244. ACCOUNTABILITY.

''A State that receives a grant under section 241 shall use accounting, audit, and fiscal procedures that conform to guidelines prescribed by the Administrator, and shall ensure that any funds used to carry out section 241 shall represent the best value for the State at the lowest possible cost and employ the best available technology.

''SEC. 245. LIMITATION ON USE OF FUNDS.

''(a) NONSUPPLANTING REQUIREMENT.—Funds made available under section 241 shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State sources.

''(b) ADMINISTRATIVE AND RELATED COSTS.—Not more than 2 percent of the funds appropriated under section 299(a) for a fiscal year shall be available to the Administrator for such fiscal year for purposes of—

''(1) research and evaluation, including assessment of the effect on public safety and other effects of the expansion of correctional capacity and sentencing reforms implemented pursuant to this part; and

''(2) technical assistance relating to the use of grants made under section 241, and development and implementation of policies, programs, and practices described in section 242.

''(c) CARRYOVER OF APPROPRIATIONS.—Funds appropriated under section 299(a) shall remain available until expended.

''(d) MATCHING FUNDS.—The Federal share of a grant received under this part may not exceed 90 percent of the costs of a proposal, as described in an application approved under this part.''.

TITLE III—GENERAL PROVISIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended by striking subsections (a) through (e) and inserting the following:

''(a) OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.—There are authorized to be appropriated for each of fiscal years 2000, 2001, 2002, 2003, and 2004, such sums as may be necessary to carry out part A.

''(b) BLOCK GRANTS FOR STATE AND LOCAL PROGRAMS.—There is authorized to be appropriated $200,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004, to carry out part B.

''(c) INCENTIVE GRANTS FOR ACCOUNTABILITY-BASED REFORMS.—There is authorized to be appropriated $300,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004, to carry out part C.

''(d) SOURCE OF APPROPRIATIONS.—Funds authorized to be appropriated by this section may be appropriated from the Violent Crime Reduction Trust Fund.''.

By Mr. GRASSLEY (for himself, Mr. TORRICELLI, and Mr. LEAHY):

S. 840. A bill to amend title 11, United States Code, to provide for health care and employee benefits, and for other purposes; to the Committee on the Judiciary.

BANKRUPTCY LEGISLATION

Mr. GRASSLEY. Mr. President, I rise today to introduce legislation that would modify our bankruptcy laws to deal with bankruptcies in the health care sector. According to testimony I received in the Subcommittee on Administrative Oversight and the Courts, almost one-third of our hospitals could face foreclosure because they are not financially sound. And a number of nursing homes are in terrible financial trouble. I believe that chapter 11 and chapter 9 of the Bankruptcy Code could be vitally important in keeping troubled hospitals in business. The bill we are proposing will ensure that chapter 11 will work fairly and efficiently in the unfortunate event that we face a rash of health care bankruptcies. The bill will also make sure the health care businesses which liquidate under Chapter 7 don't just throw patients by the wayside in a rush to sell assets and pay creditors.

Currently, the Bankruptcy Code does an adequate job of helping debtors reorganize and helping creditors recover losses. However, the code does not provide protection for the interests of patients. This bill contains several important reforms to protect patients when health care providers declare bankruptcy. Specifically, the bill addresses the disposal of patient records, the costs associated with closing a health care business, the duty to transfer patients upon the closing of a health care facility and the appointment of an ombudsman to protect patient rights.

Section 102 covers the disposal of patient records. The legislation provides clear and specific guidance to trustees who may not be aware of state law requirements for maintaining the patient records or the confidentiality issues associated with patient records. Section 102 is necessary given the patient's need for the records and the apparent lack of clear instruction, whether statutory or otherwise, describing a proper procedure in dealing with patient records when closing a facility.

Section 103 brings the costs associated with closing a health care business, including any expenses incurred by disposing of patient records and transferring patients to another health care facility, within the administrative expense umbrella of the Bankruptcy Act.

Section 104 provides for an ombudsman to act as an advocate for the patient. This change will ensure that judges are fully aware of all the facts when they guide a health care provider through bankruptcy. Prior to a chapter 11 filing or immediately thereafter, the debtor employs a health care crisis consultant to help it in its reorganization effort. The first step is usually cutting costs. Sometimes, this step may result in a lower quality of patient care. The appointment of an ombudsman should balance the interests between the creditor and the patient. These interests need balancing because the court appointed professionals owe fiduciary duties to creditors and the estate but not necessarily to the patients. There will be occasions which illustrate that what may be in the best interest of creditors may not always be consistent with the patients' best interest. The trustee's interest, for example, is to maximize the amount of the estate to pay off the creditors. The more assets the trustees disburses, the more his payment will be. On the other hand, the ombudsman is designed to insure continued quality of care at least above some minimum standard. Such quality of care standards currently exist throughout the health care environment, from the health care facility itself to State standards and Federal standards.

Consider the following excerpt from the Los Angeles Times on September 28, 1997 which describes the unconscionable, pathetic, and traumatizing consequences of sudden nursing home closings:

> It could not be determined Saturday how many more elderly and chronically ill patients may be affected by the health care company's financial problems. Those at the Reseda Care Center in the San Fernando Valley, including a 106-year-old woman, were rolled into the street late Friday in wheelchairs and on hospital beds, bundled in blankets as relatives scurried to gather up clothes and other personal belongings.

The presence of an ombudsman probably would result in fewer instances similar to what I just described, where trustees quickly close health care facilities without notifying appropriate state and federal agencies and without notifying the bankruptcy court.

Section 1105 requires a trustee to use reasonable and best efforts to transfer patients in the face of a health care business closing. This provision is both useful and necessary in that it outlines a trustee's duty with respect to a transfer of vulnerable patients.

For all these reasons, I urge you to join me and my colleagues in supporting this bill which will protect the interests of patients in health care bankruptcies.

Mr. LEAHY. Mr. President, I am pleased to join Senator GRASSLEY and Senator TORRICELLI in introducing legislation to protect patient privacy when a hospital, nursing home, HMO or other institution holding medical records is involved in a bankruptcy proceeding that leads to liquidation.

Of course, in the best case scenario any institution holding patient health care records would continue to follow applicable state or federal law requiring proper storage and safeguards. The fact is, however, under current law during a business liquidation an individual would have to wait until there has been a serious breach of their privacy rights before anyone stepped in to ensure that patient privacy is protected. Under current law it is questionable what protection these most sensitive personal records would have during a liquidation.

The reality of this situation and the practical questions of what recourse an individual would have if their personal medical records were not properly safeguarded against a business that is going out of business makes this provision essential. Our legislation would

set in law the procedure that an institution holding medical records would have to follow during a liquidation proceeding.

The bottom line is that we do not want to have to wait until there has been a breach of privacy before steps are taken to protect patient privacy. Once privacy is breached—there is nothing one can really do to give that back to an individual.

I have been working on the overall issue of medical privacy for many years. I look forward to working with Senator GRASSLEY and Senator TORRICELLI on this issue to make sure that patient privacy rights are protected in bankruptcy.

By Mr. KENNEDY (for himself, Mr. ROCKEFELLER, and Mr. WELLSTONE):

S. 841. A bill to amend title XVIII of the Social Security Act to provide for coverage of outpatient prescription drugs under the Medicare Program; to the Committee on Finance.

ACCESS TO RX MEDICATIONS IN MEDICARE ACT OF 1999

Mr. KENNEDY. Mr. President, today Senator JAY ROCKEFELLER and I are introducing the Access to Rx Medications in Medicare Act. This legislation will add a long overdue benefit to Medicare—coverage of prescription drugs. Medicare is a promise to senior citizens. It says ''Work hard, contribute to Medicare during your working years, and you will be guaranteed health security in your retirement years.'' But too often that promise is broken, because of Medicare's failure to protect the elderly against the high cost of prescription drugs.

Our legislation will provide every senior citizen or disabled person with Medicare coverage for up to $1,700 worth of prescription drugs a year, and additional coverage for those with very high drug costs. Medicare will contract with the private sector organizations in regions across the country to administer and deliver the new coverage. Beneficiaries in traditional Medicare will select an organization to provide them with the benefit. Beneficiaries enrolled in Medicare+Choice organizations will receive coverage through their plan. Seniors who have equivalent or greater coverage through retiree health plans can continue that coverage or enroll in the new program. The bill will also required private Medigap plans to include supplemental coverage.

Fourteen million beneficiaries have no prescription drug coverage. Millions more have coverage that is unaffordable, inadequate, or uncertain. The average senior citizen fills 18 prescriptions a year, and takes four to six prescription drugs daily. Many of them face monthly bills of $100, $200, or even more to fill their prescriptions. The lack of prescription drug coverage condemns many senior citizens to second-class medicine. Too often, they decide to go without the medication essential for effective health care, because they have to pay other bills for food or heat or shelter. These difficult choices will only worsen in the years ahead, since so many of the miracle cures of the future will be based on pharmaceutical products.

This legislation is a lifeline for every senior citizen who needs prescription drugs to treat an illness or maintain their health. It assures that today's and tomorrow's senior citizens will be able to share in the medical miracles that we can expect in the new century of the life sciences. It addresses the greatest single gap in Medicare—and the one that is the greatest anachronism in Medicare today.

When Medicare was first enacted in 1965, its coverage was patterned after typical private insurance policies at the time—when only a minority of such policies covered prescription drugs. Today, prescription drug coverage is virtually universal in private plans, but Medicare is still caught in its 1965 time warp.

This legislation has been carefully developed to respond to the legitimate concerns of the pharmaceutical and biotechnology industry. We have consulted with many leading firms on the development of this plan, and we believe that the industry will work with us to refine it and enact it. The most profitable industry in America has a strong interest in assuring that the miracle cures it creates are affordable for senior citizens.

Prescription drug coverage under Medicare will not come cheaply, and I intend to work with my colleagues in Congress to find the fairest way to pay for this benefit. It may well be necessary to allocate a portion of the budget surplus to defray the cost. The hard work of American families has created the surplus. Assuring it should be as high a priority for the Congress as it is for the American people. We know that improper or inadequate use of prescription drugs now costs Medicare an estimated at least $20 billion annually in avoidable hospital and physician costs. Clearly, a well-constructed prescription drug benefit can achieve large savings by reducing these avoidable costs. The bottom line is that there are many possible ways to pay for this benefit. A consensus on the best financing will develop as Congress considers this issue.

This legislation is literally a matter of life and death for millions of elderly and disabled citizens served by Medicare in communities throughout America. It is time for Congress to listen to their voices, and the voices of their children and grandchildren, too.

I ask unanimous consent that the text of this legislation and accompanying materials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 841

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 ''Access to Rx Medications in Medicare Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Medicare coverage of outpatient prescription drugs.
Sec. 3. Selection of entities to provide outpatient drug benefit.
Sec. 4. Optional coverage for certain beneficiaries.
Sec. 5. Medigap revisions.
Sec. 6. Improved medicaid assistance for low-income individuals.
Sec. 7. Waiver of additional portion of part B premium for certain medicare beneficiaries having actuarially equivalent coverage.
Sec. 8. Elimination of time limitation on medicare benefits for immunosuppressive drugs.
Sec. 9. Expansion of membership of MEDPAC to 19.
Sec. 10. GAO study and report to Congress.
Sec. 11. Effective date.

SEC. 2. MEDICARE COVERAGE OF OUTPATIENT PRESCRIPTION DRUGS.

(a) COVERAGE.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (S);

(2) by striking the period at the end of subparagraph (T) and inserting ''; and''; and

(3) by adding at the end the following:

''(U) covered outpatient drugs (as defined in subsection (i)(1) of section 1849) pursuant to the procedures established under such section;''.

(b) PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(1) by striking ''and (S)'' and inserting ''(S)''; and

(2) by striking the semicolon at the end and inserting the following: '', and (T) with respect to covered outpatient drugs (as defined in subsection (i)(1) of section 1849), the amounts paid shall be the amounts established by the Secretary pursuant to such section;''.

SEC. 3. SELECTION OF ENTITIES TO PROVIDE OUTPATIENT DRUG BENEFIT.

Part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) is amended by adding at the end the following:

''SEC. 1849. SELECTION OF ENTITIES TO PROVIDE OUTPATIENT DRUG BENEFIT.

''(a) ESTABLISHMENT OF BIDDING PROCESS.—

''(1) IN GENERAL.—The Secretary shall establish procedures under which the Secretary accepts bids from eligible entities and awards contracts to such entities in order to provide covered outpatient drugs to eligible beneficiaries in an area. Such contracts may be awarded based on shared risk, capitation, or performance.

''(2) AREA.—

''(A) REGIONAL BASIS.—The contract entered into between the Secretary and an eligible entity shall require the eligible entity to provide covered outpatient drugs on a regional basis.

''(B) DETERMINATION.—In determining coverage areas under this section, the Secretary shall take into account the number of eligible beneficiaries in an area in order to encourage participation by eligible entities.

''(3) SUBMISSION OF BIDS.—Each eligible entity desiring to provide covered outpatient drugs under this section shall submit a bid

to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Such bids shall include the amount the eligible entity will charge enrollees under subsection (e)(2) for covered outpatient drugs under the contract.

''(4) ACCESS.—The Secretary shall ensure that—

''(A) an eligible entity complies with the access requirements described in subsection (f)(5);

''(B) if an eligible entity employs formularies pursuant to subsection (f)(6)(A), such entity complies with the requirements of subsection (f)(6)(B); and

''(C) an eligible entity makes available to each beneficiary covered under the contract the full scope of benefits required under paragraph (5).

''(5) SCOPE OF BENEFITS.—The Secretary shall ensure that all covered outpatient drugs that are reasonable and necessary to prevent or slow the deterioration of, and improve or maintain, the health of eligible beneficiaries are offered under a contract entered into under this section.

''(6) NUMBER OF CONTRACTS.—The Secretary shall, consistent with the requirements of this section and the goal of containing medicare program costs, award at least 2 contracts in an area, unless only 1 bidding entity meets the minimum standards specified under this section and by the Secretary.

''(7) DURATION OF CONTRACTS.—Each contract under this section shall be for a term of at least 2 years but not more than 5 years, as determined by the Secretary.

''(8) BENCHMARK FOR CONTRACTS.—The Secretary shall not enter into a contract with an eligible entity under this section unless the Secretary determines that the average cost (excluding any cost-sharing) for all covered outpatient drugs provided to beneficiaries under the contract is comparable to the average cost charged (exclusive of any cost-sharing) by large private sector purchasers for such drugs.

''(b) ENROLLMENT.—

''(1) IN GENERAL.—The Secretary shall establish a process through which an eligible beneficiary shall make an election to enroll with any eligible entity that has been awarded a contract under this section and serves the geographic area in which the beneficiary resides. In establishing such process, the Secretary shall use rules similar to the rules for enrollment and disenrollment with a Medicare+Choice plan under section 1851.

''(2) REQUIREMENT OF ENROLLMENT.—Excluding an eligible beneficiary enrolled in a group health plan described in section 4 of the Access to Rx Medications in Medicare Act of 1999, an eligible beneficiary not enrolled in a Medicare+Choice plan under part C must enroll with an eligible entity under this section in order to be eligible to receive covered outpatient drugs under this title.

''(3) ENROLLMENT IN ABSENCE OF ELECTION BY ELIGIBLE BENEFICIARY.—In the case of an eligible beneficiary that fails to make an election pursuant to paragraph (1), the Secretary shall provide, pursuant to procedures developed by the Secretary, for the enrollment of such beneficiary with an eligible entity that has a contract under this section that covers the area in which such beneficiary resides.

''(4) AREAS NOT COVERED BY CONTRACTS.—The Secretary shall develop procedures for the provision of covered outpatient drugs under this title to eligible beneficiaries that reside in an area that is not covered by any contract under this section.

''(5) BENEFICIARIES RESIDING IN DIFFERENT LOCATIONS.—The Secretary shall develop procedures to ensure that an eligible beneficiary that resides in different regions in a year is provided benefits under this section throughout the entire year.

''(c) PROVIDING INFORMATION TO BENEFICIARIES.—The Secretary shall provide for activities under this section to broadly disseminate information to medicare beneficiaries on the coverage provided under this section. Such activities shall be similar to the activities performed by the Secretary under section 1851(d).

''(d) PAYMENTS TO ELIGIBLE ENTITIES.—The Secretary shall establish procedures for making payments to an eligible entity under a contract.

''(e) COST-SHARING.—

''(1) DEDUCTIBLE.—Benefits under this section shall not begin until the eligible beneficiary has met a $200 deductible.

''(2) COPAYMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the eligible beneficiary shall be responsible for making payments in an amount not greater than 20 percent of the cost (as stated in the contract) of any covered outpatient drug that is provided to the beneficiary. Pursuant to subsection (a)(4)(B), an eligible entity may reduce the payment amount that an eligible beneficiary is responsible for making to the entity.

''(B) BASIC BENEFIT.—Subject to subparagraph (C), if the aggregate amount of covered outpatient drugs provided to an eligible beneficiary under this section for any calendar year (based on the cost of covered outpatient drugs stated in the contract) exceeds $1,700—

''(i) the beneficiary may continue to purchase covered outpatient drugs under the contract based on the contract price, but

''(ii) the copayment under subparagraph (A) shall be 100 percent.

''(C) STOP-LOSS PROTECTION.—The copayment amount under subparagraph (A) shall be 0 percent once an eligible beneficiary's out-of-pocket expenses for covered outpatient drugs under this section reach $3,000.

''(D) INFLATION ADJUSTMENT.—

''(i) IN GENERAL.—In the case of any calendar year beginning after 2000, each of the dollar amounts in subparagraphs (B) and (C) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) an adjustment, as determined by the Secretary, for changes in the per capita cost of prescription drugs for beneficiaries under this title.

''(ii) ROUNDING.—If any dollar amount after being increased under clause (i) is not a multiple of $10, such dollar amount shall be rounded to the nearest multiple of $10.

''(f) CONDITIONS FOR AWARDING CONTRACT.—The Secretary shall not award a contract to an eligible entity under subsection (a) unless the Secretary finds that the eligible entity is in compliance with such terms and conditions as the Secretary shall specify, including the following:

''(1) QUALITY AND FINANCIAL STANDARDS.—The eligible entity meets quality and financial standards specified by the Secretary.

''(2) INFORMATION.—The eligible entity provides the Secretary with information that the Secretary determines is necessary in order to carry out the bidding process under this section, including data needed to implement subsection (a)(8) and data regarding utilization, expenditures, and costs.

''(3) EDUCATION.—The eligible entity establishes educational programs that meet the criteria established by the Secretary pursuant to subsection (g)(1).

''(4) PROCEDURES TO ENSURE PROPER UTILIZATION AND TO AVOID ADVERSE DRUG REACTIONS.—The eligible entity has in place procedures to ensure the—

''(A) appropriate utilization by eligible beneficiaries of the benefits to be provided under the contract; and

''(B) avoidance of adverse drug reactions among eligible beneficiaries enrolled with the entity.

''(5) ACCESS.—The eligible entity ensures that the covered outpatient drugs are accessible and convenient to eligible beneficiaries covered under the contract, including by offering the services in the following manner:

''(A) SERVICES DURING EMERGENCIES.—The offering of services 24 hours a day and 7 days a week for emergencies.

''(B) CONTRACTS WITH RETAIL PHARMACIES.—The offering of services—

''(i) at a sufficient (as determined by the Secretary) number of retail pharmacies; and

''(ii) to the extent feasible, at retail pharmacies located throughout the eligible entity's service area.

''(6) RULES RELATING TO PROVISION OF BENEFITS.—

''(A) PROVISION OF BENEFITS.—In providing benefits under a contract under this section, an eligible entity may—

''(i) employ mechanisms to provide benefits economically, including the use of—

''(I) formularies (pursuant to subparagraph (B));

''(II) alternative methods of distribution; and

''(III) generic drug substitution; and

''(ii) use incentives to encourage eligible beneficiaries to select cost-effective drugs or less costly means of receiving drugs.

''(B) FORMULARIES.—If an eligible entity uses a formulary to contain costs under this Act—

''(i) the eligible entity shall—

''(I) ensure participation of practicing physicians and pharmacists in the development of the formulary;

''(II) include in the formulary at least 1 drug from each therapeutic class;

''(III) provide for coverage of otherwise covered non-formulary drugs when recommended by prescribing providers; and

''(IV) disclose to current and prospective beneficiaries and to providers in the service area the nature of the formulary restrictions, including information regarding the drugs included in the formulary, copayment amounts, and any difference in the cost-sharing for different types of drugs; but

''(ii) nothing shall preclude an entity from—

''(I) requiring higher cost-sharing for drugs provided under clause (i)(III), subject to limits established in subsection (e)(2)(A), except that an entity shall provide for coverage of a nonformulary drug on the same basis as a drug within the formulary if such nonformulary drug is determined by the prescribing provider to be medically indicated;

''(II) educating prescribing providers, pharmacists, and beneficiaries about medical and cost benefits of formulary products; and

''(III) requesting prescribing providers to consider a formulary product prior to dispensing of a nonformulary drug, as long as such request does not unduly delay the provision of the drug.

''(7) PROCEDURES TO COMPENSATE PHARMACISTS FOR COUNSELING.—The eligible entity shall compensate pharmacists for providing the counseling described in subsection (g)(2)(B).

''(8) CLINICAL OUTCOMES.—

''(A) REQUIREMENT.—The eligible entity shall comply with clinical quality standards as determined by the Secretary.

''(B) DEVELOPMENT OF STANDARDS.—The Secretary, in consultation with appropriate medical specialty societies, shall develop clinical quality standards that are applicable to eligible entities. Such standards shall be based on current standards of care.

''(9) PROCEDURES REGARDING DENIALS OF CARE.—The eligible entity has in place procedures to ensure—

''(A) the timely review and resolution of denials of care and complaints (including those regarding the use of formularies under paragraph (6)) by enrollees, or providers, pharmacists, and other individuals acting on behalf of such individual (with the individual's consent) in accordance with requirements (as established by the Secretary) that are comparable to such requirements for Medicare+Choice organizations under part C; and

''(B) that beneficiaries are provided with information regarding the appeals procedures under this section at the time of enrollment.

''(g) EDUCATIONAL REQUIREMENTS TO ENSURE APPROPRIATE UTILIZATION.—

''(1) ESTABLISHMENT OF PROGRAM CRITERIA.—The Secretary shall establish a model for comprehensive educational programs in order to assure the appropriate—

''(A) prescribing and dispensing of covered outpatient drugs under this section; and

''(B) use of such drugs by eligible beneficiaries.

''(2) ELEMENTS OF MODEL.—The model established under paragraph (1) shall include the following elements:

''(A) On-line prospective review available 24 hours a day and 7 days a week in order to evaluate each prescription for drug therapy problems due to duplication, interaction, or incorrect dosage or duration of therapy.

''(B) Consistent with State law, guidelines for counseling eligible beneficiaries enrolled under a contract under this section regarding—

''(i) the proper use of prescribed covered outpatient drugs; and

''(ii) interactions and contra-indications.

''(C) Methods to identify and educate providers, pharmacists, and eligible beneficiaries regarding—

''(i) instances or patterns concerning the unnecessary or inappropriate prescribing or dispensing of covered outpatient drugs;

''(ii) instances or patterns of substandard care;

''(iii) potential adverse reactions to covered outpatient drugs;

''(iv) inappropriate use of antibiotics;

''(v) appropriate use of generic products; and

''(vi) the importance of using covered outpatient drugs in accordance with the instruction of prescribing providers.

''(h) PROTECTION OF PATIENT CONFIDENTIALITY.—Insofar as an eligible organization maintains individually identifiable medical records or other health information regarding enrollees under a contract entered into under this section, the organization shall—

''(1) safeguard the privacy of any individually identifiable enrollee information;

''(2) maintain such records and information in a manner that is accurate and timely; and

''(3) assure timely access of such enrollees to such records and information.

''(i) DEFINITIONS.—In this section:

''(1) COVERED OUTPATIENT DRUG.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'covered outpatient drug' means any of the following products:

''(i) A drug which may be dispensed only upon prescription, and—

''(I) which is approved for safety and effectiveness as a prescription drug under section 505 of the Federal Food, Drug, and Cosmetic Act;

''(II)(aa) which was commercially used or sold in the United States before the date of enactment of the Drug Amendments of 1962 or which is identical, similar, or related (within the meaning of section 310.6(b)(1) of title 21 of the Code of Federal Regulations) to such a drug, and (bb) which has not been the subject of a final determination by the Secretary that it is a 'new drug' (within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act) or an action brought by the Secretary under section 301, 302(a), or 304(a) of such Act to enforce section 502(f) or 505(a) of such Act; or

''(III)(aa) which is described in section 107(c)(3) of the Drug Amendments of 1962 and for which the Secretary has determined there is a compelling justification for its medical need, or is identical, similar, or related (within the meaning of section 310.6(b)(1) of title 21 of the Code of Federal Regulations) to such a drug, and (bb) for which the Secretary has not issued a notice of an opportunity for a hearing under section 505(e) of the Federal Food, Drug, and Cosmetic Act on a proposed order of the Secretary to withdraw approval of an application for such drug under such section because the Secretary has determined that the drug is less than effective for all conditions of use prescribed, recommended, or suggested in its labeling.

''(ii) A biological product which—

''(I) may only be dispensed upon prescription;

''(II) is licensed under section 351 of the Public Health Service Act; and

''(III) is produced at an establishment licensed under such section to produce such product.

''(iii) Insulin approved under appropriate Federal law.

''(iv) A prescribed drug or biological product that would meet the requirements of clause (i) or (ii) but that is available over-the-counter in addition to being available upon prescription.

''(B) EXCLUSION.—The term 'covered outpatient drug' does not include any product—

''(i) except as provided in subparagraph (A)(iv), which may be distributed to individuals without a prescription;

''(ii) when furnished as part of, or as incident to, a diagnostic service or any other item or service for which payment may be made under this title;

''(iii) that was covered under this title on the day before the date of enactment of the Access to Rx Medications in Medicare Act of 1999; or

''(iv) that is a therapeutically equivalent replacement for a product described in clause (ii) or (iii), as determined by the Secretary.

''(2) ELIGIBLE BENEFICIARY.—The term 'eligible beneficiary' means an individual that is enrolled under part B of this title.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means any entity that the Secretary determines to be appropriate, including—

''(A) pharmaceutical benefit management companies;

''(B) wholesale and retail pharmacist delivery systems;

''(C) insurers;

''(D) other entities; or

''(E) any combination of the entities described in subparagraphs (A) through (D).''.

SEC. 4. OPTIONAL COVERAGE FOR CERTAIN BENEFICIARIES.

(a) IN GENERAL.—If drug coverage under a group health plan that provides health insurance coverage for retirees is equivalent to or greater than the coverage provided under section 1849 of the Social Security Act (as added by section 3), beneficiaries receiving coverage through the group health plan may continue to receive such coverage from the plan and the Secretary may make payments to such plans, subject to the requirements of this section.

(b) REQUIREMENTS.—To receive payment under this section, group health plans shall—

(1) comply with certain requirements of this Act and other reasonable, necessary, and related requirements that are needed to administer this section, as determined by the Secretary;

(2) to the extent that there is a contractual obligation to provide drug coverage to retirees that is equal to or greater than the drug coverage provided under this Act, reimburse or otherwise arrange to compensate beneficiaries during the life of the contract for the portion of the part B premium under section 1839 of the Social Security Act that is identified by the Secretary of Health and Human Services as attributable to the drug coverage provided under section 1849 of that Act (as added by section 3); or

(3) for group health plans that are in existence prior to enactment of this section and provide drug coverage to retirees that is equal to or greater than the drug coverage provided under section 1849 of the Social Security Act (as added by section 3), reimburse or otherwise arrange to compensate beneficiaries for the portion of the part B premium under section 1839 of the Social Security Act that is identified by the Secretary of Health and Human Services as attributable to the drug coverage provided under section 1849 of that Act (as added by section 3) for at least 1 year from the date that the group health plan begins participation under this section.

(c) PAYMENTS.—The Secretary shall establish a process to provide payments to eligible group health plans under this section on behalf of enrolled beneficiaries. Such payments shall not exceed the amount that would otherwise be paid to a private entity serving similar beneficiaries in the same service area under section 1849 of the Social Security Act (as added by section 3).

SEC. 5. MEDIGAP REVISIONS.

(a) COVERAGE OF OUTPATIENT DRUGS.—Section 1882(p)(2)(B) of the Social Security Act (42 U.S.C. 1395ss(p)(2)(B)) is amended by inserting before ''and'' at the end the following: ''including a requirement that an appropriate number of policies provide coverage of drugs which compliments but does not duplicate the drug benefits that beneficiaries are otherwise entitled to under this title (with the Secretary and the National Association of Insurance Commissioners determining the appropriate level of drug benefits that each benefit package must provide and ensuring that policies providing such coverage remain affordable for beneficiaries);''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2000.

(c) TRANSITION PROVISIONS.—

(1) IN GENERAL.—If the Secretary of Health and Human Services identifies a State as requiring a change to its statutes or regulations to conform its regulatory program to the amendments made by this section, the State regulatory program shall not be considered to be out of compliance with the requirements of section 1882 of the Social Security Act due solely to failure to make such change until the date specified in paragraph (4).

(2) NAIC STANDARDS.—If, within 9 months after the date of enactment of this Act, the National Association of Insurance Commissioners (in this subsection referred to as the ''NAIC'') modifies its NAIC Model Regulation relating to section 1882 of the Social Security Act (referred to in such section as the 1991 NAIC Model Regulation, as subsequently modified) to conform to the amendments made by this section, such revised regulation incorporating the modifications shall be considered to be the applicable NAIC model regulation (including the revised NAIC model regulation and the 1991 NAIC Model Regulation) for the purposes of such section.

(3) SECRETARY STANDARDS.—If the NAIC does not make the modifications described in

paragraph (2) within the period specified in such paragraph, the Secretary of Health and Human Services shall make the modifications described in such paragraph and such revised regulation incorporating the modifications shall be considered to be the appropriate regulation for the purposes of such section.

(4) DATE SPECIFIED.—

(A) IN GENERAL.—Subject to subparagraph (B), the date specified in this paragraph for a State is the earlier of—

(i) the date the State changes its statutes or regulations to conform its regulatory program to the changes made by this section; or

(ii) 1 year after the date the NAIC or the Secretary first makes the modifications under paragraph (2) or (3), respectively.

(B) ADDITIONAL LEGISLATIVE ACTION REQUIRED.—In the case of a State which the Secretary identifies as—

(i) requiring State legislation (other than legislation appropriating funds) to conform its regulatory program to the changes made in this section; but

(ii) having a legislature which is not scheduled to meet in 2000 in a legislative session in which such legislation may be considered;

the date specified in this paragraph is the first day of the first calendar quarter beginning after the close of the first legislative session of the State legislature that begins on or after July 1, 2000. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SEC. 6. IMPROVED MEDICAID ASSISTANCE FOR LOW-INCOME INDIVIDUALS.

(a) INCREASE IN SLMB ELIGIBILITY TO 135 PERCENT OF POVERTY LEVEL.—.

(1) IN GENERAL.—Section 1902(a)(10)(E) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)) is amended—

(A) in clause (iii), by striking ''and 120 percent in 1995 and years thereafter'' and inserting '', 120 percent in 1995 and through July 1, 2000, and 135 percent for subsequent periods''; and

(B) in clause (iv)—

(i) by striking the dash and all that follows through ''(II)'', and

(ii) by striking ''who would be described in subclause (I) if '135 percent' and '175 percent' were substituted for '120 percent' and '135 percent' respectively'' and inserting ''who would be described in clause (iii) but for the fact that their income exceeds 135 percent, but is less than 175 percent, of the official poverty line (referred to in such clause) for a family of the size involved''.

(2) CONFORMING AMENDMENT.—Section 1933(c)(2)(A) of such Act (42 U.S.C. 1396v(c)(2)(A)) is amended by striking ''the sum'' and all that follows and inserting ''the total number of individuals described in section 1902(a)(10)(E)(iv) in the State; to''.

(b) PROVISION OF MEDICAID PRESCRIPTION DRUG BENEFITS FOR QMBS AND SLMBS AS WRAP-AROUND BENEFIT.—

(1) IN GENERAL.—Section 1902(a)(10) of such Act (42 U.S.C. 1396a(a)(10)) is amended—

(A) in subparagraph (E)(i), by inserting ''and for prescribed drugs (in the same amount, duration, and scope as for individuals described in subparagraph (A)(i))'' after ''1905(p)(3))'';

(B) in subparagraph (E)(iii), by inserting ''and for prescribed drugs (in the same amount, duration, and scope as for individuals described in subparagraph (A)(i))'' after ''section 1905(p)(3)(A)(ii)''; and

(C) in the clause (VIII) following subparagraph (F), by inserting ''and to medical assistance for prescribed drugs described in subparagraph (E)(i)'' after ''1905(p)(3))''.

(2) CONFORMING AMENDMENT.—Section 1916(a) of such Act (42 U.S.C. 1396o(a)) is amended, in the matter before paragraph (1), by striking ''(E)(i)'' and inserting ''(E)''.

(c) EFFECTIVE DATES.—

(1) The amendments made by subsections (a)(1) and (b) take effect on July 1, 2000, and apply to prescribed drugs furnished on or after such date.

(2) The amendment made by subsection (a)(2) applies to the allocation for the portion of fiscal year 2000 that occurs on or after July 1, 2000, and to the allocation for subsequent fiscal years.

(3) The amendments made by this section apply without regard to whether or not regulations to implement such amendments are promulgated by July 1, 2000.

SEC. 7. WAIVER OF ADDITIONAL PORTION OF PART B PREMIUM FOR CERTAIN MEDICARE BENEFICIARIES HAVING ACTUARIALLY EQUIVALENT COVERAGE.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish a method under which the portion of the part B premium under section 1839 of the Social Security Act that is identified by the Secretary of Health and Human Services as attributable to the drug coverage provided under section 1849 of that Act (as added by section 3) is waived (and not collected) for any individual enrolled under part B of title XVIII of the Social Security Act who demonstrates that the individual has drug coverage that is actuarially equivalent to the coverage provided under that part.

(b) LIMITATION.—Subsection (a) shall not apply to an individual with coverage through a group health plan if the group health plan receives payments for such individual pursuant to section 4.

SEC. 8. ELIMINATION OF TIME LIMITATION ON MEDICARE BENEFITS FOR IMMUNOSUPPRESSIVE DRUGS.

(a) REVISION.—

(1) IN GENERAL.—Section 1861(s)(2)(J) of the Social Security Act (42 U.S.C. 1395x(s)(2)(J)) is amended by striking '', but only'' and all that follows up to the semicolon at the end.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to drugs furnished on or after the date of enactment of this Act.

(b) EXTENSION OF CERTAIN SECONDARY PAYER REQUIREMENTS.—Section 1862(b)(1)(C) of the Social Security Act (42 U.S.C. 1395y(b)(1)(C)) is amended by adding at the end the following: ''With regard to immunosuppressive drugs furnished on or after the date of enactment of the Access to Rx Medications in Medicare Act of 1999, this subparagraph shall be applied without regard to any time limitation.''.

SEC. 9. EXPANSION OF MEMBERSHIP OF MEDPAC TO 19.

(a) IN GENERAL.—Section 1805(c) of the Social Security Act (42 U.S.C. 1395b–6(c)), as amended by section 5202 of the Tax and Trade Relief Extension Act of 1998 (contained in division J of Public Law 105–277), is amended—

(1) in paragraph (1), by striking ''17'' and inserting ''19''; and

(2) in paragraph (2)(B), by inserting ''experts in the area of pharmacology and prescription drug benefit programs,'' after ''other health professionals,''.

(b) INITIAL TERMS OF ADDITIONAL MEMBERS.—

(1) IN GENERAL.—For purposes of staggering the initial terms of members of the Medicare Payment Advisory Commission under section 1805(c)(3) of the Social Security Act (42 U.S.C. 1395b–6(c)(3)), the initial terms of the 2 additional members of the Commission provided for by the amendment under subsection (a)(1) are as follows:

(A) One member shall be appointed for 1 year.

(B) One member shall be appointed for 2 years.

(2) COMMENCEMENT OF TERMS.—Such terms shall begin on January 1, 2000.

SEC. 10. GAO STUDY AND REPORT TO CONGRESS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study and analysis of the implementation of the competitive bidding process for covered outpatient drugs under section 1849 of the Social Security Act (as added by section 3), including an analysis of—

(1) the reduction of hospital visits (or lengths of such visits) by beneficiaries as a result of providing coverage of covered outpatient drugs under such section;

(2) prices paid by the medicare program relative to comparable private and public sector programs; and

(3) any other savings to the medicare program as a result of—

(A) such coverage; and

(B) the education and counseling provisions of section 1849(g).

(b) REPORT.—Not later than January 1, 2001, and annually thereafter, the Comptroller General of the United States shall submit a report to Congress on the study and analysis conducted pursuant to subsection (a), and shall include in the report such recommendations regarding the coverage of covered outpatient drugs under the medicare program as the Comptroller General determines to be appropriate.

SEC. 11. EFFECTIVE DATE.

Except as otherwise provided, the amendments made by this Act apply to items and services furnished on or after July 1, 2000.

ACCESS TO RX MEDICATIONS IN MEDICARE ACT OF 1999—SUMMARY

THE NEED

When Medicare was enacted in 1965, outpatient prescription drug coverage was not a standard feature of private health insurance policies. Now, virtually all employment-based policies provide prescription drug coverage, but Medicare does not.

More than one-third of Medicare beneficiaries have no coverage for outpatient prescription drugs. While other elderly and disabled beneficiaries have some level of outpatient prescription drug coverage through Medicare+Choice plans, individually purchased Medigap or retiree health coverage, too often that coverage is inadequate, expensive or unreliable.

LEGISLATIVE PROPOSAL

This legislation would create a new outpatient prescription drug benefit under Part B. The benefit has two parts—a basic benefit that will fully cover the drug needs of most beneficiaries and a stop-loss benefit that will provide much needed additional coverage to the beneficiaries who have the highest drug costs.

The proposal administers and delivers the benefit through private entities and private sector performance benchmarks—rather than HCFA or federally designated price controls. All beneficiaries would be covered by the new benefit. Beneficiaries enrolled in Medicare+Choice plans would receive the benefit through their plan. Beneficiaries in conventional Medicare would enroll with an approved program in their area of residence, following the general model of Medicare+Choice enrollment.

In addition, the proposal would preserve and improve existing coverage in the private market that is equal to or greater than the new coverage under Medicare. Beneficiaries with equivalent coverage through a retiree health plan would be able to keep that coverage and HHS would provide payment to the plan equal to the payment that would otherwise be paid on behalf of the beneficiary to one of the new private entities.

The benefit

Outpatient drugs covered under this Act are FDA-approved therapies that are dispensed only by prescription, including insulin and biologics, and that are reasonable and necessary to prevent or slow the deterioration of, and improve or maintain the health of covered individuals. This Act would not cover over-the-counter products or therapies that are currently covered under Medicare (e.g., those that are administered ''incident to'' physician services).

After beneficiaries meet a separate drug deductible of $200, coverage is generally provided at levels similar to regular Part B benefits—with the beneficiary paying not more than 20 percent of the program's established price for a particular product. The basic benefit would provide coverage up to $1,700 annually. Medicare would provide ''stop-loss'' coverage (i.e., Medicare would pay 100 percent) once annual out-of-pocket expenditures exceed $3,000. Beneficiaries with drug costs in excess of the basic benefit—but below the stop-loss trigger—would be allowed to self-pay for additional medications at the private entity's discounted price.

This benefit package provides a new and much needed guarantee of coverage for all beneficiaries, and will fully cover the prescription drug needs of approximately 80 percent of beneficiaries.

Use of private sector and support of existing coverage

Coverage would be provided through private entities under contract with HHS. Eligible entities include pharmaceutical benefit management companies, insurers, networks of wholesale and retail pharmacies, and other appropriate organizations. Eligible entities would submit competitive bids to the Secretary for regional coverage—regions would be determined by the Secretary and structured in such a way as to encourage participation by and competition among private entities. Service areas would consist of at least one state whenever possible.

Bids would be awarded based on shared risk, capitation or performance to entities that meet the requirements of the Act and provide for discounts comparable to those garnered by other large private sector purchasers. There is no fee schedule or rebate structure. The Secretary shall award at least two bids in an area, if such bids meet the requirements of the Act, encourage competition and improve service for beneficiaries.

Entities may employ a variety of cost-containment techniques used in the private sector (e.g., formularies, differential cost-sharing for certain products, etc.), subject to guidelines and beneficiary protections established in the Act. Entities must contract with a sufficient number and distribution of retail pharmacies throughout the plan's service area to assure convenient access for covered beneficiaries.

Additional assistance for low-income beneficiaries

Beneficiaries with incomes between the level for Medicaid eligibility and 135 percent of poverty would receive comprehensive wrap-around coverage through Medicaid, including assistance with cost-sharing and premiums.

Incentive to maintain current private market coverage

To maintain coverage in the retiree health market, employers who offer retiree drug coverage that is equal to or better than the new Medicare benefit would be eligible for a payment equal to the payment that would otherwise be made to the local private entity. This would help beneficiaries with comprehensive drug coverage in retiree health plans to keep their current coverage.

Measures to decrease drug-related problems

Improper use of or lack of access to prescription drugs is estimated to cost Medicare more than $20 billion annually (primarily through avoidable hospitalizations and admissions to skilled nursing facilities.) Participating private entities must use systems to assure appropriate prescribing, dispensing and use of covered therapies. These programs must include on-line prospective review and methods to identify and educate pharmacists, providers and beneficiaries on (1) instances or patterns of unnecessary or inappropriate prescribing or dispensing or substandard care, (2) potential adverse reactions, (3) inappropriate use of antibiotics, (4) appropriate use of generic products, and (5) patient compliance.

Medigap reforms

The Secretary and the National Association of Insurance Commissioners would be required to revise the standard Medigap packages to reflect the new Medicare benefit, and provide for coverage that compliments, but does not duplicate, such coverage in an appropriate number of standard packages.

ESTIMATED COST AND FINANCING

The Congressional Budget Office has not yet estimated the costs or potential savings associated with this proposal. The proposal does not specify the financing mechanism, but viable options include (1) recovering—through legislation or litigation—the Medicare costs attributable to treating tobacco-related diseases and conditions, (2) an increase in the federal tobacco tax, (3) a small portion of the unallocated surplus, or (4) savings achieved as part of the financing of more comprehensive Medicare reform legislation.

ACCESS TO RX MEDICATIONS IN MEDICARE ACT OF 1999 FACT SHEET

The greatest gap in Medicare coverage in the lack of a prescription drug benefit. The time has come to modernize Medicare's benefits by including coverage for outpatient prescription drugs.

COVERAGE

When Medicare was enacted in 1965, outpatient prescription drug coverage was not a standard feature of private insurance policies. Today, however, virtually all employment-based policies provide prescription drug coverage.[1]

Approximately one-third of Medicare beneficiaries have no prescription drug coverage. Coverage among the remaining beneficiaries is often inadequate, unaffordable and uncertain. Approximately 12 percent receive limited coverage through individually purchased Medigap policies, which are extremely expensive and often difficult to obtain. About six percent of Medicare beneficiaries have limited drug coverage through Medicare HMOs, but many plans are cutting back or eliminating drug coverage. Only about one-third of beneficiaries have reasonably comprehensive coverage, through an employment-based retirement plan or through Medicaid—and the proportion with employment-based coverage is declining.[2]

SPENDING AND UTILIZATION

Purchase of prescription drugs accounts for the largest single source of out-of-pocket health costs for Medicare beneficiaries.[3]

About 85 percent of the elderly use at least one prescription medicine during the year. The average senior citizen takes more than four prescription drugs daily and fills an average of eighteen prescriptions a year. It is not uncommon for seniors to face prescription drug bills of at least $100 a month.[4]

The elderly, who make up 12 percent of the population, are estimated to use one-third of all prescription drugs.[5]

Lack of Medicare coverage disproportionately increases the financial burden on women, rural residents, low-income beneficiaries and older beneficiaries.[6]

A 1993 study, before the most recent surge in drug costs, reported that one in eight senior citizens said they were forced to choose between buying food and buying medicine.[7]

Medicare beneficiaries without supplemental private coverage for prescription drugs spend twice as much on prescription drugs as their counterparts with private insurance.[8]

Increasingly, the miracle cures of the future will depend on pharmaceuticals developed through new breakthroughs in biology and biotechnology. These cures will generally save money overall, but the individual products will be expensive. The dollar volume of drug sales last year increased 16.6%, but most of the increase was due to greater use of costly new drugs, rather than price increases.[9]

Medicare beneficiaries pay exorbitant prices for the drugs they buy, because they generally do not have access to discount programs available to other buyers. A study of five commonly prescribed drugs found that Medicare beneficiaries paid twice as much as the drug companies' favored customers.[10]

Elderly persons without drug coverage are among the last purchasers who pay full price. According to a recent Standard and Poor's report on the pharmaceutical industry, ''[d]rugmakers have historically raised prices to private customers to compensate for the discounts they grant to managed care consumers.'' Because Medicare beneficiaries are among the only private patients without additional coverage, they shoulder most of the burden generated by the industry's preference for cost-shifting.[11]

ADEQUATE COVERAGE AND IMPROVED UTILIZATION ARE WISE INVESTMENTS

Assuring Medicare beneficiaries access to drugs in a well-managed program can produce immense savings for the Medicare program. Savings arise because seniors are able to afford to take the drugs that have been prescribed for their condition and because it is easier to encourage compliance with drug regimens and avoid complications or interactions because of inappropriate use. Improper use of prescription drug costs Medicare more than $20 billion annually, primarily through avoidable hospitalizations and admissions to skilled nursing facilities.[12]

One study found that hospitals costs for a preventable adverse drug event run nearly $5,000 per episode.[13]

GAO reported in June 1996 that Medicaid's automated drug utilization review system reduced adverse drug events and saved more than $30 million a year in just five states.

RESEARCH AND DEVELOPMENT

The Pharmaceutical industry spent more than $21 billion in research and development in 1998.[14] Ensuring access for the elderly through this proposal will provide a natural market for new and innovative therapies, promoting additional investments in research and development.

FOOTNOTES

[1] Department of Labor, Employee Benefits in Small Private Establishments.

[2] The Lewin Group, ''Current Knowledge of Third Party Outpatient Drug Coverage for Medicare Beneficiaries,'' November 9, 1998, cited in staff documents, Medicare Commission; Margaret Davis, et al., ''Prescription Drug Coverage, Utilization, and Spending Among Medicare Beneficiaries,'' Health Affairs, January-February, 1999.

[3] AARP, ''Out-of-Pocket Spending.''

[4] Stephen H. Long, ''Prescription Drugs and the Elderly: Issues and Options,'' Health Affairs, Spring 1994.

Footnotes at end of article.

[5] AARP Public Policy Institute, ''Overview: Lack of Coverage Burdens Many Medicare Beneficiaries,'' September 1998.

[6] Jeanette Rogowski, PhD, et al, ''The Financial Burden of Prescription Drug use Among Elderly Persons,'' The Gerontologist 37:4 (August 1997).

[7] American Pharmacy, October, 1992; HCFA Office of Strategic Planning, Data from the Current Beneficiary Survey, cited in staff documents, Medicare Commission; Department of Health and Human Services, unpublished data; Committee on Government Reform and Oversight, U.S. House of Representatives, Minority Staff Report, ''Prescription Drug Pricing in the United States: Drug Companies Profit at the Expense of Older Americans,'' October 20, 1998.

[8] Rogowski, The Gerontologist 37:4 (August 1997).

[9] Elyse Tanoye, Wall Street Journal, November 16, 1998.

[10] Committee on Government Reform and Oversight, ''Prescription Drug Pricing.''

[11] Ibid.

[12] Prescription Drugs and the Elderly: Many Still Receive Potentially Harmful Drugs Despite Recent Improvements (GAO/HEHS–95–152, July 24, 1995); 60 FR 44182 (August 24, 1995).

[13] David W. Bates, Md, MSc, et al., ''The Costs of Adverse Drug Events in Hospitalized Patients,'' JAMA, January 22/29, 1997.

[14] Pharmaceutical Research and Manufacturers of America, ''The Value of Pharmaceuticals,'' 1998.

BENEFIT

New benefit under Part B.

20% coinsurance; special $200 deductible. Special assistance for low-income beneficiaries (i.e., income <135% of poverty).

Basic coverage of first $1,700 worth of expenditures annually, including cost-sharing.

Stop-loss coverage once annual out-of-pocket spending reaches $3,000.

ADMINISTRATION OF BENEFIT

All benefits provided through private sector:

Secretary enters into contracts with at least two private entities (pharmacy benefit management organizations, insurance companies, consortiums of retail pharmacists, etc.) in each region to provide benefits. Beneficiaries choose which one to sign up with.

Medicare HMOs provide benefit directly. Medicare+Choice payments adjusted to reflect additional cost of drug coverage.

Private businesses offering coverage equal to or greater than Medicare benefit as part of retiree health program are eligible for payments to maintain coverage.

Beneficiaries who have and maintain equivalent private sector coverage may opt-out of program entirely.

All programs must provide convenient access to drugs through retail pharmacies.

Programs must include measures to assure proper use of prescription drugs and reduce adverse drug reactions or other drug-related problems.

Programs must allow patients to receive most appropriate drug.

Standard Medigap packages are redesigned by the Secretary of HHS and NAIC to reflect new Medicare benefit, and provide complimentary coverage, where appropriate.

COST OF PROGRAM AND FINANCING

Cost estimates not yet available. Beneficiaries pay 25% of cost through Part B premium (with assistance for low-income). Additional financing possibilities include: higher tobacco taxes, recoupment of federal costs for tobacco-related diseases, unallocated portion of surplus, savings from long-term Medicare reform proposal (in reconciliation or alone), and savings from reduced hospitalizations and other costs related to inappropriate use of prescription drugs.

Mr. ROCKEFELLER. Mr. President, I am pleased to be introducing the ''Access to Rx Medications in Medicare Act of 1999'' with my colleague from Massachusetts, Senator KENNEDY. Our legislation seeks to assist Medicare beneficiaries with their single largest out-of-pocket expense for health care services—prescription drugs.

I would like to thank Senator KENNEDY for his leadership in bringing this issue to the forefront of the health care debate. I have long admired Senator KENNEDY's commitment and dedication to improving the lives of our most vulnerable citizens.

This is not the first time prescription coverage has been discussed seriously in the United States Senate. The debate around providing prescription drug coverage was first discussed while the creation of the Medicare program was being considered. Unfortunately, in the end, drug coverage was not included.

Medicare has not been updated substantially since its enactment and we know that a lot has changed in health care since 1965. The program was modeled after employer-sponsored health plans—most of which, at the time, did not offer prescription drug coverage. Now, almost all employer-sponsored health plans recognize the important role that prescription drugs play in modern medicine. Additionally, the value of drug therapy was unclear in 1965. Today, medical and technological advances in drug safety and effectiveness have created more pharmaceutical products that can treat disease and manage chronic illnesses.

A decade ago, the Senate sought to redress that error and provide prescription drug coverage to all—but politics overwhelmed a much-needed policy change and the benefit was forfeited. I believe it is time to reenergize the debate.

Today, we have the opportunity to build on successful private sector initiatives to provide Medicare beneficiaries with much needed prescription drug coverage. Pharmaceutical benefit managers (PBMs) have the information infrastructure, claims experience, and detailed understanding of drug management to provide a strong, stable benefit structure. By taking advantage of their management skills, we can update the Medicare program, make it stronger, make it more competitive, and more able to meet the challenges presented by the approaching retirement of the baby boom generation.

Mr. President, I am constantly in touch with West Virginians who describe the dilemmas they face about paying for the prescription drugs. These are people who have worked hard all their lives, raised families, contributed to their communities, and paid their taxes. Now, in the twilight of their lives, a time that they should be enjoying with their children and grandchildren, they are struggling to make ends meet. And health care expenses, especially prescription drug costs, are breaking their budgets.

A West Virginia senior has an average income of $10,700 and spends $2,600 annually on average in out-of-pocket health care expenses. Prilosec, a popular anti-ulcer drug, costs about $1000 a year. Lipitor, a drug that controls cholesterol levels, and Rezulin, an anti-diabetic drug, each cost over $800 a year. But the rent, electricity, phone, and groceries also have to be paid. And there is only so much that can be cut when a person is down to choosing between basic necessities.

Mr. President, I'd like to share some examples of West Virginians who would truly apppreciate the enactment of the ''Access to Rx Medications in Medicare Act.'' I know of an elderly woman in West Virginia who relies solely on Social Security for her monthly income of $800 but spends over $100 a month for her heart medication. I know of another elderly widow in West Virginia who has monthly income of $760 but spends $500 a month in prescription drug costs. She constantly worries about her future, especially if her health takes a turn for the worse.

West Virginians are not alone. Between one-third and one-half of all Medicare beneficiaries—that's roughly between 13 and 19 million seniors—have little or no prescription drug coverage.

The seniors who are the most vulnerable are the lowest income beneficiaries and those suffering from chronic illnesses. Eighty percent of the elderly suffer from one or more chronic diseases, many of which could be controlled by drug therapy. The chronically ill spend $400 more annually on average than seniors without a chronic illness. Seniors in West Virginia are disproportionately hurt by chronic illness. Heart disease, cancer, strokes are the leading causes of death in my state.

Low-income seniors are especially at risk for developing chronic illnesses. Unfortunately, low-income seniors are also not likely to have prescription drug coverage—only 36% of those with incomes less than $10,000 had drug coverage—but they spend a greater percentage of their income to pay for prescription drugs than do higher-income beneficiaries.

Those who do have access to prescription drug coverage rely on patchwork of public and private measures that usually offer very limited coverage with high premiums, coinsurance rates, and deductibles—making the lifesaving coverage they need hard to maintain. The most comprehensive coverage sources of prescription drug coverage are Medicaid and employer-sponsored retiree insurance. However, recent trends indicate that fewer firms are offering retiree benefits that include drug coverage because of the cost.

Seniors who do not have prescription drug coverage and have to buy medication on their own are the hardest hit by the steep increases in prescription drug costs. A recent Congressional study found that seniors may pay as much as double what HMOs, insurance companies and other bulk purchasers pay. The price difference is due to the fact that bulk purchasers can negotiate much lower prices for their drug orders

than the retail pharmacies—where seniors buy their drugs—can. Even though 34 million seniors participate in the Medicare program, Medicare beneficiaries have no leverage when purchasing medication.

Mr President, the ''Access to Rx Medications in Medicare Act″ helps seniors in several ways. First, it would provide seniors without existing coverage a basic drug benefit, up to about $1700 dollars a year, under Medicare Part B. Once the benefit has been exhausted, seniors can continue to purchase prescription drugs at the program's discounted price. Next, this bill offers stop-loss protection that is triggered when a beneficiary spends more than $3,000 annually in out-of-pocket prescription drug costs. Finally, this legislation would improve the protections offered by current law to assist the lowest income beneficiaries and those with the highest out-of-pocket drug costs.

The ''Access to Rx Medications in Medicare Act'' builds on infrastructure already in place in the private sector. Pharmaceutical benefits managers, networks of retail or community pharmacies, or insurers will have the opportunity to submit competitive bids to manage the benefit. The PBMs would then negotiate discounts and rebates for Medicare beneficiaries just like they do for HMOs and insurance companies in return for a payment from Medicare.

Finally, providing prescription drug coverage to seniors is cost-effective in the long-run. Drug therapy, especially in managing chronic illnesses, saves money by keeping seniors out of hospitals and nursing homes. This proposal would also save money by reducing improper use of prescription drugs, which currently costs Medicare $16 billion annually.

Mr. President, when Congress created the Medicare program nearly 35 years ago, we made a commitment to provide affordable, quality health care for our seniors. Today, prescription drugs are an essential component of quality health care. The lack of affordable prescription drug coverage in the Medicare program is especially saddening at a time when most Americans are experiencing greater prosperity than ever before.

I believe that we have to honor the commitment we made to those who came before us and sacrificed so much to make this nation what it is today. Providing Medicare coverage for outpatient prescription drugs is necessary to update and modernize the Medicare benefit package. Now is the time to enact legislation and so I urge my colleagues to support the ''Access to Rx Medications in Medicare Act of 1999.''

By Mr. SANTORUM:

S. 842. A bill to limit the civil liability of business entities that donate equipment to nonprofit organizations; to the Committee on the Judiciary.

By Mr. SANTORUM:

S. 843. A bill to limit the civil liability of business entities that provide facility tours; to the Committee on the Judiciary.

By Mr. SANTORUM:

S. 844. A bill to limit the civil liability of business entities that make available to a nonprofit organization the use of a motor vehicle or aircraft; to the Committee on the Judiciary.

By Mr. SANTORUM:

S. 845. A bill to limit the civil liability of business entities providing use of facilities to nonprofit organizations; to the Committee on the Judiciary.

LEGISLATION TO LIMIT THE CIVIL LIABILITY OF BUSINESS ENTITIES PROVIDING SERVICES TO NONPROFIT ORGANIZATIONS

Mr. SANTORUM. Mr. President, I rise today to introduce four pieces of legislation I introduced in the 105th Congress. Building on the support I've received for these bills, I look forward to passage this Congress of much needed liability protection for those who donate goods and services to charities.

Over the past thirty years, courts have consistently expanded what constitutes tortious conduct. Regrettably, fault is often not a factor when deciding who should compensate an individual for damages incurred. This has had an impact on charitable giving. Today, individuals and businesses are wary of giving goods, services, and time to charities for fear of frivolous lawsuits.

This legislation is designed to free up resources for charities by providing legal protections for donors. Generally, these bills raise the tort liability standard for donors, whereby they are liable only in cases of gross negligence, hence eliminating strict liability and returning to a fault based legal standard. By allowing businesses to once again become good Samaritans, I look forward to seeing a massive increase in the donation of goods and services to charities.

Specifically, I have introduced four bills, each of which accomplishes one of the following four objectives: first, to limit the civil liability of business entities that donate equipment to nonprofit organizations; second, to limit the civil liability of business entities that provide use of their facilities to nonprofit organizations; third, to limit the civil liability of business entities that provide facility tours; and fourth, to limit the civil liability of business entities that make available to nonprofit organizations the use of motor vehicles or aircraft.

Clearly, where an organization is grossly negligent when providing goods or the use of its facilities to charity, that organization should be fully liable for inquiries caused. These bills merely require this to be the standard in cases arising from certain donations to charities.

In late 1996, the Good Samaritan Food Donation Act was passed into law. This law now protects donors of foodstuffs to charities from liability except in cases where the donor was grossly negligent in making the donation. I was proud to join Senator BOND in passing this Act. The bills I introduce today draw from my successful work with Senator BOND years ago. Each of these bills is modeled on the legal framework of the Good Samaritan Food Donation Act. I hope my distinguished colleagues who supported the Food Donation Act will help further these efforts by supporting the Charity Empowerment Project.

Mr. President, I ask unanimous consent that the text of these bills be printed in the RECORD.

There being no objection, the bills were ordered printed in the RECORD, as follows:

S. 842

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

SECTION 1. LIABILITY OF BUSINESS ENTITIES THAT DONATE EQUIPMENT TO NONPROFIT ORGANIZATIONS.

(a) DEFINITIONS.—In this section:

(1) BUSINESS ENTITY.—The term ''business entity'' means a firm, corporation, association, partnership, consortium, joint venture, or other form of enterprise.

(2) EQUIPMENT.—The term ''equipment'' includes mechanical equipment, electronic equipment, and office equipment.

(3) GROSS NEGLIGENCE.—the term ''gross negligence'' means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(4) INTENTIONAL MISCONDUCT.—The term ''intentional misconduct'' means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(5) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means—

(A) any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(B) any not-for-profit organization organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(6) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(b) LIMITATION ON LIABILITY.—

(1) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death that results from the use of equipment donated by a business entity to a noprofit organization.

(2) APPLICATION.—This subsection shall apply with respect to civil liability under Federal and State law.

(c) EXCEPTION FOR LIABILITY.—Subsection (b) shall not apply to an injury or death that results from an act or omission of a business entity that constitutes gross negligence or intentional misconduct, including any misconduct that—

(1) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18) for which the defendant has been convicted in any court;

(2) constitutes a hate crime (as that term is used in the Hate Crime Statistics Act (28 U.S.C. 534 note));

(3) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court; or

(4) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law.

(d) SUPERSEDING PROVISION.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (e), this Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that this Act shall not preempt any State law that provides additional protection for a business entity for an injury or death described in subsection (b)(1).

(2) LIMITATION.—Nothing in this Act shall be construed to supersede any Federal or State health or safety law.

(e) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This Act shall not apply to any civil action in a State court against a business entity in which all parties are citizens of the State if such State enacts a statute—

(1) citing the authority of this subsection;

(2) declaring the election of such State that this Act shall not apply to such civil action in the State; and

(3) containing no other provision.

S. 843

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

SECTION 1. LIABILITY OF BUSINESS ENTITIES PROVIDING TOURS OF FACILITIES.

(a) DEFINITIONS.—In this section:

(1) BUSINESS ENTITY.—The term ''business entity'' means a firm, corporation, association, partnership, consortium, joint venture, or other form of enterprise.

(2) FACILITY.—The term ''facility'' means any real property, including any building, improvement, or appurtenance.

(3) GROSS NEGLIGENCE.—The term ''gross negligence'' means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(4) INTENTIONAL MISCONDUCT.—The term ''intentional misconduct'' means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(5) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(b) LIMITATION ON LIABILITY.—

(1) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury to, or death of an individual occurring at a facility of the business entity if—

(A) such injury or death occurs during a tour of the facility in an area of the facility that is not otherwise accessible to the general public; and

(B) the business entity authorized the tour.

(2) APPLICATION.—This subsection shall apply—

(A) with respect to civil liability under Federal and State law; and

(B) regardless of whether an individual pays for the tour.

(c) EXCEPTION FOR LIABILITY.—Subsection (b) shall not apply to an injury or death that results from an act or omission of a business entity that constitutes gross negligence or intentional misconduct, including any misconduct that—

(1) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18) for which the defendant has been convicted in any court;

(2) constitutes a hate crime (as that term is used in the Hate Crime Statistics Act (28 U.S.C. 534 note));

(3) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court; or

(4) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law.

(d) SUPERSEDING PROVISION.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (e), this Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that this Act shall not preempt any State law that provides additional protection from liability for a business entity for an injury or death with respect to which the conditions under subparagraphs (A) and (B) of subsection (b)(1) apply.

(2) LIMITATION.—Nothing in this Act shall be construed to supersede any Federal or State health or safety law.

(e) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This Act shall not apply to any civil action in a State court against a business entity in which all parties are citizens of the State if such State enacts a statute—

(1) citing the authority of this subsection;

(2) declaring the election of such State that this Act shall not apply to such civil action in the State; and

(3) containing no other provision.

S. 844

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

SECTION 1. LIABILITY OF BUSINESS ENTITIES PROVIDING USE OF A MOTOR VEHICLE OR AIRCRAFT.

(a) DEFINITIONS.—In this section:

(1) AIRCRAFT.—The term ''aircraft'' has the meaning provided that term in section 40102(6) of title 49, United States Code.

(2) BUSINESS ENTITY.—the term ''business entity'' means a firm, corporation, association, partnership, consortium, joint venture, or other form of enterprise.

(3) GROSS NEGLIGENCE.—The term ''gross negligence'' means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(4) INTENTIONAL MISCONDUCT.—The term ''intentional misconduct'' means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(5) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning provided that term in section 30102(6) of title 49, United States Code.

(6) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means—

(A) any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(B) any not-for-profit organization organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(7) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(b) LIMITATION ON LIABILITY.—

(1) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death occurring as a result of the operation of aircraft or a motor vehicle of a business entity loaned to a nonprofit organization for use outside of the scope of business of the business entity if—

(A) such injury or death occurs during a period that such motor vehicle or aircraft is used by a nonprofit organization; and

(B) the business entity authorized the use by the nonprofit organization of motor vehicle or aircraft that resulted in the injury or death.

(2) APPLICATION.—This subsection shall apply—

(A) with respect to civil liability under Federal and State law; and

(B) regardless of whether a nonprofit organization pays for the use of the aircraft or motor vehicle.

(c) EXCEPTION FOR LIABILITY.—Subsection (b) shall not apply to an injury or death that results from an act or omission of a business entity that constitutes gross negligence or intentional misconduct, including any misconduct that—

(1) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18) for which the defendant has been convicted in any court;

(2) constitutes a hate crime (as that term is used in the Hate Crime Statistics Act (28 U.S.C. 534 note));

(3) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court; or

(4) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law.

(d) SUPERSEDING PROVISION.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (e), this Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that this Act shall not preempt any State law that provides additional protection from liability for a business entity for an injury or death with respect to which the conditions described in subparagraphs (A) and (B) of subsection (b)(1) apply.

(2) LIMITATION.—Nothing in this Act shall be construed to supersede any Federal or State health or safety law.

(e) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This Act shall not apply to any civil action in a State court against a volunteer, nonprofit organization, or governmental entity in which all parties are citizens of the State if such State enacts a statute—

(1) citing the authority of this subsection;

(2) declaring the election of such State that this Act shall not apply to such civil action in the State; and

(3) containing no other provision.

S. 845

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

SECTION 1. LIABILITY OF BUSINESS ENTITIES PROVIDING USE OF FACILITIES TO NONPROFIT ORGANIZATIONS.

(a) DEFINITIONS.—In this section:

(1) BUSINESS ENTITY.—The term ''business entity'' means a firm, corporation, association, partnership, consortium, joint venture, or other form of enterprise.

(2) FACILITY.—The term ''facility'' means any real property, including any building, improvement, or appurtenance.

(3) GROSS NEGLIGENCE.—The term ''gross negligence'' means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(4) INTENTIONAL MISCONDUCT.—The term ''intentional misconduct'' means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(5) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means—

(A) any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(B) any not-for-profit organization organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(6) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(b) LIMITATION ON LIABILITY.—

(1) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death occurring at a facility of the business entity in connection with a use of such facility by a nonprofit organization if—

(A) the use occurs outside of the scope of business of the business entity;

(B) such injury or death occurs during a period that such facility is used by the nonprofit organization; and

(C) the business entity authorized the use of such facility by the nonprofit organization.

(2) APPLICATION.—This subsection shall apply—

(A) with respect to civil liability under Federal and State law; and

(B) regardless of whether a nonprofit organization pays for the use of a facility.

(c) EXCEPTION FOR LIABILITY.—Subsection (b) shall not apply to an injury or death that results from an act or omission of a business entity that constitutes gross negligence or intentional misconduct, including any misconduct that—

(1) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18) for which the defendant has been convicted in any court;

(2) constitutes a hate crime (as that term is used in the Hate Crime Statistics Act (28 U.S.C. 534 note));

(3) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court; or

(4) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law.

(d) SUPERSEDING PROVISION.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (e), this Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that this Act shall not preempt any State law that provides additional protection from liability for a business entity for an injury or death with respect to which conditions under subparagraphs (A) through (C) of subsection (b)(1) apply.

(2) LIMITATION.—Nothing in this Act shall be construed to supersede any Federal or State health or safety law.

(e) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This Act shall not apply to any civil action in a State court against a business entity in which all parties are citizens of the State if such State enacts a statute—

(1) citing the authority of this subsection;

(2) declaring the election of such State that this Act shall not apply to such civil action in the State; and

(3) containing no other provision.

By Mr. MCCAIN (for himself, Mr. BIDEN, Mr. HAGEL, Mr. LIEBERMAN, Mr. COCHRAN, Mr. DODD, Mr. LUGAR, Mr. ROBB, and Mr. KERRY):

S.J. Res. 20. A joint resolution concerning the deployment of the United States Armed Forces to the Kosovo region in Yugoslavia; to the Committee on Foreign Relations.

CONCERNING THE DEPLOYMENT OF THE UNITED STATES ARMED FORCES TO THE KOSOVO REGION IN YUGOSLAVIA

Mr. MCCAIN. Mr. President, I introduce a joint resolution cosponsored by Senators BIDEN, COCHRAN, HAGEL, LIEBERMAN, LUGAR, DODD and ROBB.

Before I go into my statement, I will mention that the Veterans of Foreign Wars today will be issuing a statement regarding their support for this resolution. The Veterans of Foreign Wars statement will read:

> The United States, acting as a part of the NATO alliance, should use a full range of force in an overwhelming and decisive manner to meet its objectives.

I think it is important to note that this resolution would be supported by those American veterans who have fought in foreign wars.

As my colleagues know, I am concerned that the force the United States and our NATO allies have employed against Serbia, gradually escalating airstrikes, is insufficient to achieve our political objectives there, which are the removal of the Serb military and security forces from Kosovo, the return of the refugees to their homes, and the establishment of a NATO-led peacekeeping force.

I hope this resolution, should it be adopted, will encourage the administration and our allies to find the courage and resolve to prosecute this war in the manner most likely to result in its early end and successful conclusion. In other words, I hope this resolution will make clear Congress' support for adopting our means to secure our ends rather than the reverse. But that is not our central purpose today. Our central purpose is to encourage Congress to meet its responsibilities, responsibilities that we have thus far evaded.

Many of my colleagues oppose this war and would prefer that the United States immediately withdraw from a Balkan conflict which they judge to be a quagmire so far removed from America's interests that the cost of victory cannot be justified. I disagree, but I respect their opinion as honest and honorable. I believe that they would welcome the opportunity to express their opposition by the means available to Congress.

Those of us who support this intervention and those who may have had reservations about either its necessity or its initial direction but are now committed to winning it should also welcome this resolution as the instrument for doing our duty, as we have called on so many fine young Americans to do their duty at the risk of their lives. If those who oppose this war and any widening of it prevail, so be it. The President will pursue his present course as authorized by earlier congressional resolutions until its failure demands we settle on Mr. Milosevic's terms.

Those of our colleagues who feel that course is preferable to the price that would be incurred by fully prosecuting this war can rightly claim that they followed the demands of conscience and Constitution, but they must also be accountable to the country and the world for whatever negative consequences ensue from our failure. Should those of us who want to use all necessary force to win this war prevail, then we must accept the responsibility for the losses incurred in its prosecution. That is the only honorable course.

But no matter which view any Senator holds, should this resolution be adopted at the end of a thorough debate, all Members of Congress should then unite to support the early and complete accomplishment of our mission in Kosovo.

Silence and equivocation will not unburden us of our responsibility to support or oppose the war. I do not recommend lightly the course I have called on the President to pursue. I know, as should any one who votes for this resolution, that if Americans die in a land war with Serbia, we will bear a considerable share of the blame for their loss. We are as accountable to their families as the President must be.

But I would rather face that sad burden than hide from my conscience because I sought an ambiguous political position to seek shelter behind. Nor could I easily bear the dishonor of having known that my country's interests demanded a course of action, but avoided taking it because the costs of defending them were substantial, as were its attendant political risks.

Congress, no less than the administration, must show the resolve and confidence of a superpower whose cause is just and imperative. Let us all, President and Senator alike, show the courage of our convictions in this critical hour. Let us declare ourselves in support of or opposition to this war, and the many sacrifices it will entail. Our duty demands it.

Mr. President, I reserve the remainder of my time.

Mr. COCHRAN addressed the Chair.

Mr. MCCAIN. Mr. President, I yield as much time as the Senator from Mississippi may consume.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to join my good friend and distinguished colleague, the Senator from Arizona, in introducing this resolution. It seems to me very important at this juncture that the Senate express itself on the subject of our obligation to use whatever force is available to our alliance in NATO to win the conflict quickly and decisively and not to be a party to dragging it out unnecessarily by telling our adversary what military actions we will not use in the conflict.

It seems to me that an appropriate analogy to the administration's strategy is someone who gets himself into a fight, a boxing match, and says, ''I am just going to use a left jab in this match, I am never going to use the right hand.'' No one would do that with any expectation of being successful in that conflict, in that encounter. It seems to me that that is exactly what the United States has been doing, and it has been a mistake.

This resolution suggests by its clear language that the President of the United States is authorized to use all necessary force and other means, in concert with United States allies, to accomplish United States and North Atlantic Treaty Organization objectives in the Federal Republic of Yugoslavia.

It also spells out in the resolution what those objectives are. It suggests that the Federal Republic of Yugoslavia withdraw its forces from Kosovo, permitting the ethnic Albanians to return to their homes and the establishment of a peacekeeping force in Kosovo. Those are our objectives.

To accomplish that, we must convince Milosevic that we are very serious that this war will be waged with all necessary force unless he surrenders his efforts to intimidate, kill, and otherwise terrify this region of Europe, and that he stop this military action, and stop it now, or he is going to suffer the most serious military consequences.

That is the message he should get from the NATO alliance and from the U.S. leadership. That is what the Senate is saying by adopting this resolution. And I hope the Senate will adopt this resolution.

It is unfortunate that we are involved in this military action. It is very unpleasant. It is not something that any of us would have wished to have occurred. We do have to recognize, though, that our NATO allies are very actively involved in this conflict as well. Great Britain, France, Germany, and Italy are all taking—and others—very active roles in the prosecution of this military conflict to achieve the goals that are recited in this resolution. It is an honorable course of action to stop the killing and to stop the atrocities and restore stability in this region of Europe.

The NATO alliance was begun on the premise that Europe should be free, with an opportunity for people to live their lives in freedom, without threat from military intimidation or harm. The alliance has decided that this is an appropriate means for achieving that goal, waging a conflict against a person who has proven to be totally disrespectful of human rights, of the right to life, of the right to live in peace with his neighbors. We can no longer tolerate this under any circumstances.

So the NATO alliance is involved. And I am hopeful that the Senate will spell out our views on this issue at the earliest possible time.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. BIDEN. Mr. President, let me thank the Senator from Connecticut for allowing me to proceed. I will be relatively brief. Unfortunately, I think we are going to have an awful lot to say on this issue for some time to come.

I thank Senator MCCAIN. Several weeks ago, Senator MCCAIN and I were on one of these national shows talking about this issue, and we spoke to one another after the show. We agreed on three things—and some of my colleagues assembled here on the floor have reached the same conclusions. First, that the President of the United States, if he were to decide to use ground troops, would need congressional authorization. Second, that we and the President should not ever take anything off the table once we are in a war, in order to be able to successfully prosecute that war. And third, that we consider a resolution that talks about the use of ground force.

Senator MCCAIN had a better idea. He said, ''JOE, why don't we do a resolution that suggests the President use whatever means are at his disposal in order to meet the objectives that are stated in the resolution?'' So we came back after the recess with the intention of introducing a resolution. We spoke with the Democratic and Republican leadership here in the Senate. We met with the President in a bipartisan group. And we concluded that it was not the time to press for passage of the resolution. But it is time to lay it before the American people and before the Congress.

This is a joint resolution. If passed, it would meet the constitutional requirement of the war clause in the U.S. Constitution. That is the equivalent of a declaration of war.

From a constitutional standpoint, in order to use ground forces, I am of the view—and I expect my colleagues will be of the view, whether they do or do not support ground forces, now or in the future—that the Congress should be involved in that decision under our Constitution.

So speaking for myself, my first and foremost reason for being the original cosponsor of this amendment with my friend, JOHN MCCAIN, is that I believe it is constitutionally required.

Second, I believe very strongly that we should not make an international commitment and then withhold the use of any means at our disposal to reach our publicly stated objectives. This resolution will allow us, as a nation and as an alliance, to fulfill our commitments.

So I am proud to be a cosponsor of this resolution. We will have disagreements, as you will hear as this debate goes forward, as to whether or not the President and NATO have appropriately prosecuted this action thus far. I am not suggesting that all of us agree. But that will be part of a debate that takes place here on the floor of the Senate.

I, for one, do not have the military experience of JOHN MCCAIN; few in America do. I would not attempt to second-guess whether the military has the capacity to accomplish the objectives as stated by NATO solely through the use of air power.

There are men on the floor like Senator HAGEL—a war hero himself, a Vietnam veteran—who are better equipped to determine whether or not the military is accurately telling us what they can do. I am prepared to accept for the moment that the military does have that capacity.

Thus my sponsorship of this resolution is not for the purpose of making the case that the President and NATO should use ground troops at this moment. Instead, I think the President should be authorized to use those troops, if necessary, in order to prosecute successfully the NATO goals in the Balkans. We must have the flexibility to respond to one of the most serious crises of this century in the Balkans.

I just got back from Macedonia and Albania with TED STEVENS and others. I noticed most people in Europe are not using the phrase ''conflict'' anymore; it is a war. This is a war. We should not kid each other about it. This is a war. The fact that there have, thank God, not been any American casualties yet, the fact that ''only'' three Americans have been captured, does not mean this is not a war. This is a war. And to successfully prosecute our aims, people are going to die, including Americans. I think it is almost unbelievable to think that we will meet the objectives stated by NATO without the loss of a single American life.

So this is a war, and it is testing Europe and the alliance in a way that we have not faced since the end of World War II. However we choose to label it, this is a war in the Balkans, a war that is being conducted by a war criminal named Slobodan Milosevic, who has caused the greatest human catastrophe in Europe since World War II. At stake are the lives of millions of displaced persons and refugees, the stability of southeastern Europe, and the future of NATO itself.

Our goals must be the safe and secure return of all Kosovars to their homes; the withdrawal of all Yugoslav and

Serbian Army, police, and paramilitary forces from Kosovo; and permitting the establishment of a NATO-led peacekeeping force in Kosovo, either through a permissive environment or—my phrase—a practically permissible environment, one in which we could go in and the military of Milosevic could not stop us.

With the stakes this high, we must give the President the necessary means to achieve our goals. The Constitution, as I said, requires that Congress consider giving such authorization. I have trust and confidence in our military leaders when they say that, at least for the moment, they do not need ground forces to achieve our goals. Nonetheless, they should have the authorization to use all military tools should they conclude otherwise. This resolution would provide that authorization.

This resolution also authorizes the President to use other means, which encompasses diplomacy as well as arms. I hope, of course, that a diplomatic solution will be possible without the use of ground forces, but only if the diplomatic solution achieves all of our stated goals.

Finally, through this resolution, we are putting Slobodan Milosevic on notice that the United States and NATO allies are deadly serious about doing what it takes to compel him to withdraw his vicious ethnic-cleansers, gang rapists, recently pardoned criminals, ski-masked thugs, and his now corrupted regular army troops from Kosovo.

So, let me conclude by saying once again that there will be plenty of time to debate whether or not NATO should have had a full-blown plan on the table for the use of ground forces. I suggest to my colleagues, as I suggested at the NAC in Brussels this past Sunday, that if we had done that, there is overwhelming evidence that several of our allies would not have gone along with even airstrikes.

I remind everyone who is listening that the good news is that we are an alliance. The bad news is, we are an alliance. An alliance requires consensus. I respectfully suggest that as hard as it was for the Senators on this floor to convince our colleagues that air power made sense in the first instance, can you imagine what it would have been like if we were standing on the floor today authorizing the President to use all force necessary without 18 other NATO nations agreeing?

I respectfully suggest that Democrats and Republicans alike would come to the floor and say: It is not our business alone. We should only do this in conjunction with NATO.

So, there is a delicate balancing act, not unlike what Dwight Eisenhower had to deal with in World War II with the French and the British and others. The delicate balancing act involves keeping the alliance together and at the same time not diminishing the capacity to achieve the alliance's ends.

The message I would like to see sent to Belgrade today is that America is united, the United States Congress is united, and American citizens are prepared to use whatever force is necessary to stop him. I would also send a message to our allies that we are resolved and we expect them to stay resolved to achieve NATO's stated objectives. If we fail to achieve our stated objectives, I believe that NATO loses its credibility as a credible peacekeeping alternative and a defensive organization in Europe. If that occurs, I believe you will see a repetition of this war in Serbia, in Macedonia, in Albania, in Montenegro, and other parts of the Balkans.

Much is at stake. We should not kid the American people. American lives will be lost as this continues. But America's strategic interests and American lives in the long run will be saved if we resolutely pursue the NATO objectives.

Mr. President, I again thank my friend from Connecticut. I am proud to join with the Senators on the floor here today, for whom I have deep respect. I realize they have put aside their political considerations in order to pursue this effort. I compliment them for that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair and I thank my friend from Nebraska for yielding time to me.

Mr. President, I come to the floor and to the decision to cosponsor this resolution with a deep sense of seriousness and purpose. These are fateful, historic and very consequential matters that we are discussing and engaged in today.

Great nations such as this one, and great alliances such as NATO, do not remain great if they do not uphold their principles and keep their promises. That has always been true, of course, but it seems powerfully so today, as we prepare to welcome NATO and much of the rest of the world to Washington this week to commemorate the 50th anniversary of this great alliance.

We are being tested. This alliance and this Nation are being tested in ways that a few months ago we never could have imagined would have been the case as we prepared for this commemoration. So it becomes now, in its way, less an unlimited celebration and more a renewal of commitment to the principles which animated and necessitated the organization of NATO 50 years ago. We are called on today to uphold those principles, the principles of a free and secure transatlantic community. We must keep the promises we have made in support of those principles. NATO must prevail in the Balkans, in Kosovo.

Thugs, renegade regimes and power-hungry maniacs everywhere in the world are watching our actions in the Balkans and gauging our resolve. They must receive an unequivocal message. They must understand that they violate our principles, they ignore our promises and threats at their peril.

That is the context in which I am proud to cosponsor this resolution, to stand by our national and alliance principles, to keep our promises and to send an unequivocal message to Milosevic and all the other thugs of the world: You cannot defy forces united for common decency and humanity; you cannot ignore our promises and threats. We will not end the 20th century standing idle, allowing a murderous tyrant to mar all that we together have accomplished in Europe and in this transatlantic community over the last five decades.

Mr. President, I was privileged to go, almost 2 weeks ago now, to Europe with Secretary Cohen on a bipartisan, bicameral delegation of Congress. I brought home with me a heightened respect for the military machine that we and NATO—particularly in the United States—have developed. It is awesome in its capability and power, and our service men and women are, without a doubt, the best trained and the most committed that any nation has ever produced. I say that to say, as a matter of confidence, that no matter what it takes, they will prevail over Milosevic.

I still believe that the current air campaign, which is being very effectively implemented, can succeed in achieving our goals in this conflict. That, of course, depends on the test of wills that is going on now and on the test of sanity that is going on now. If there is any sanity in an enlightened national self-interest left in the higher counsels of government in Belgrade, they will stop the NATO air bombardment of their country by accepting NATO's terms and restoring peace.

However, it would be irresponsible not to plan for other military options that may be necessary to defeat this enemy. Not only should all options remain on the table, but all options must be adequately analyzed and readied.

In the case of ground forces, which will take weeks to deploy should they be necessary, we should begin now to plan for the logistics of such a mission and to ensure that appropriate personnel are adequately trained.

I say again what I have said before, I hope and pray that NATO ground forces are not needed. I hope common sense, sanity will prevail in the government in Belgrade, but it would be irresponsible not to prepare NATO's forces now for their potential deployment, and it would be similarly irresponsible, I believe, for Congress, in these circumstances, not to authorize the President, as Commander in Chief, under article I, section 2 of our Constitution, to take whatever actions are necessary to achieve the noble objectives we have set out for ourselves in the Balkans by defeating Milosevic. That is what this resolution does, and that is why I am proud to be a cosponsor.

In the last week or so, several countries and others have offered proposals for seeking a negotiated cease-fire.

While we all pray for peace in the Balkans, I think it is important that the peace be a principled peace. NATO has clearly stated objectives, and we can settle for nothing less than the attainment of those reasonable objectives.

They are quite simply that the Serbian invaders, the military and paramilitary forces that have wreaked havoc, bloodshed, and terror on the Kosovar Albanians be withdrawn from Kosovo; that the Kosovars be allowed to return, to be able to do no more than we take for granted every day of our lives in the U.S., which is to live in peace and freedom in their homes and villages; and that there be an international peacekeeping force to monitor that peace that we will have achieved.

If we agree on the worth and the justice of those objectives, we—NATO, the United States—must be prepared to do whatever is necessary to achieve those objectives. To negotiate half a victory, which is no victory, to claim that we have achieved military objectives without achieving the principled objectives that motivated our involvement, would effectively be a devastating defeat, not just for the human rights of the people of Kosovo, but for NATO and the United States.

By introducing this resolution today, we begin a very serious and fateful debate. Today is just the beginning of it. It must, because of the seriousness of all that is involved here, engage not just the executive branch of our Government and the Members of Congress of both parties and both Houses, but the American people as well.

I come back to the bottom line in concluding. I am convinced that we are engaged in a noble mission with our allies in the Balkans, which goes to the heart of international security, European security and American security, but also goes to the heart of our principles as a nation.

I close, if I may, with a prayer that God will be with all those who are fighting in the Balkans today for freedom and human rights and soften the hearts of our opposition so that the additional force that the Commander in Chief would be authorized to deploy, if this resolution passes, will not be necessary. But if it is, let this resolution stand, introduced as it is today by a bipartisan group of Members of the Senate, let this resolution stand for the clear statement that we will stand together as long as necessary to achieve the principles we cherish in the Balkans, as well as the security that we require.

I thank the Chair, and I yield to my friend and colleague from Nebraska.

Mr. HAGEL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nebraska.

Mr. HAGEL. Thank you, Mr. President. I thank the distinguished Senator from Connecticut.

Mr. President, I join with my colleagues this morning in introducing this joint resolution because it is the right thing to do, it is the responsible thing to do.

Our military efforts and our political will must be consistent with and commensurate with our military and political objectives. That is the essence of what this debate is about.

I happen to believe that the Balkans are in the national security interests of this country for many reasons: Our relationship with NATO, the stability of Central and Eastern Europe; the next ring out is the stability of the Baltics, central Asia, Turkey. So in my mind it is rather clear that we do have a national security interest here.

What this resolution is about is cutting through the fog of who is to blame, the miscalculation, mistakes up/down. That must be set aside. What we need to remember is that we are engaged in a war. We must stay focused on this commitment and have the resolution and the will to achieve the purpose which we began a month ago.

Wars—political, military calculations are imperfect. If we believe—and I do; I believe our 18 NATO allies do believe —that this is the right thing to do, then we must commit ourselves to achieving this most important objective. That means the American people must first understand what our national security interests are, the Congress must lead with the President, and we must be unified to accomplish this goal.

Surely, one of the lessons of Vietnam was that not only are long, confusing wars not sustainable in democracies, but we also learned, as Colin Powell laid out very clearly the last time that we dispatched our military might, that the doctrine of military force is very simple: Maximum amount of power, minimum amount of time.

Time is not on our side here, Mr. President. Time is not on our side. The longer this goes without a resolution, the more difficult it will become and the more likely it will be that the resolution, the outcome, will be some kind of a half-baked deal that will resolve nothing; so as we began this noble effort, we will end with no nobility and no achievement as to making the world better and more stable and more secure.

This is not a Republican/Democrat issue. It is far beyond that. I think that is well represented by the bipartisanship of this resolution. There is another consequence that flows from what we are now engaged in, and that is how we will respond to future security challenges. And just as important as that link is how others around the world will measure our response, measure our will, measure our commitment to doing the right thing.

History has taught us very clearly that when you defer the tough decisions, things do not get better; they get worse. And the more you try and appease the Milosevics of the world, things get worse, more people die, more commitment must be made later. That is surely a lesson of history.

The time is now past whether we are committed to do this or not. That debate was a month ago. What we must do now is come together in a unified effort to win this, to achieve our political and military goals, stop the slaughter, stop the butchery, allow the people of Kosovo to go back into their homes, maintain the stability of that part of the world, and allow for a political resolution to develop—not one that we dictate, not one that NATO dictates, but the people of the Balkans.

My colleagues this morning have referred to the outer rings of consequences here, the outer rings of instability. I believe that if this effort is not successful, not only are you destabilizing Central and Eastern Europe, you are taking away the opportunities those nations of Central and Eastern Europe have now, and the former republics of the Socialist Soviet Republic, for a chance to develop a democracy and individual liberties and a free market system, because you have destabilized the area for no other reason than you have brought a million refugees, displaced persons, into that part of the world where those nations and the infrastructures of those nations cannot possibly deal with that and, hence, destabilizing the very infrastructure we are trying to help.

There are so many, many consequences that are attached to this one effort. I hope this resolution makes very clear, on a bipartisan basis, what we, as a Nation, as a member of NATO, as a member of the civilized world have at stake here and why it is important that we win this war. And I call it a war because it is a war.

I hope that the President of the United States will provide the kind of leadership that this Nation is going to need to connect the national security interests not just at the immediate time in that part of the world, but for our long-term national security interests not just in that part of the world, but all parts of the world. The President must lead. If the President wishes to come to the Congress and ask for a declaration of war, that should be entertained and debated and carefully considered.

The time for nibbling around the edges here is gone. And we not only do a great disservice to the men and women that we asked to fight this war, but to our democracy and all of the civilized world if we do not do the right thing. History will judge us harshly, as it should, if we allow this to continue, what is going on in the Balkans today, and do not stop it.

ADDITIONAL COSPONSORS

S. 39

At the request of Mr. STEVENS, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from Illinois (Mr. DURBIN), the Senator from Delaware (Mr. BIDEN), and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 39, a bill to provide

a national medal for public safety officers who act with extraordinary valor above the call of duty, and for other purposes.

S. 59

At the request of Mr. BREAUX, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 331

At the request of Mr. JEFFORDS, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors 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. 409

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 409, a bill to authorize qualified organizations to provide technical assistance and capacity building services to microenterprise development organizations and programs and to disadvantaged entrepreneurs using funds from the Community Development Financial Institutions Fund, and for other purposes.

S. 414

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Mrs. MURRAY) 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. 472

At the request of Mr. GRASSLEY, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 482

At the request of Mr. ABRAHAM, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to repeal the increase in the tax on the social security benefits.

S. 484

At the request of Mr. CAMPBELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor 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.

S. 487

At the request of Mr. GRAMS, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals.

S. 512

At the request of Mr. GORTON, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of 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.

S. 526

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to allow issuance of tax-exempt private activity bonds to finance public-private partnership activities relating to school facilities in public elementary and secondary schools, and for other purposes.

S. 595

At the request of Mr. DOMENICI, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports, and for other purposes.

S. 631

At the request of Mr. DEWINE, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 697

At the request of Mrs. BOXER, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from New York (Mr. SCHUMER), and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 697, a bill to ensure that a woman can designate an obstetrician or gynecologist as her primary care provider.

S. 735

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 735, a bill to protect children from firearms violence.

S. 779

At the request of Mr. ABRAHAM, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 779, a bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims or their heirs.

S. 790

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 790, a bill to amend the Federal Food, Drug, and Cosmetic Act to require manufacturers of bottled water to submit annual reports, and for other purposes.

SENATE CONCURRENT RESOLUTION 22

At the request of Mr. DODD, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of Senate Concurrent Resolution 22, a concurrent resolution expressing the sense of the Congress with respect to promoting coverage of individuals under long-term care insurance.

SENATE CONCURRENT RESOLUTION 25

At the request of Mr. JEFFORDS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of Senate Concurrent Resolution 25, a concurrent resolution urging the Congress and the President to fully fund the Federal Government's obligation under the Individuals with Disabilities Education Act.

SENATE RESOLUTION 29

At the request of Mr. ROBB, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of Senate Resolution 29, a resolution to designate the week of May 2, 1999, as ''National Correctional Officers and Employees Week.''

SENATE RESOLUTION 33

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Resolution 33, a resolution designating May 1999 as ''National Military Appreciation Month.''

SENATE RESOLUTION 34

At the request of Mr. TORRICELLI, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of Senate Resolution 34, a resolution designating the week beginning April 30, 1999, as ''National Youth Fitness Week.''

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from North Carolina (Mr. EDWARDS), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors

of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as ''National Literacy Day.''

SENATE RESOLUTION 68

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Resolution 68, a resolution expressing the sense of the Senate regarding the treatment of women and girls by the Taliban in Afghanistan.

AMENDMENTS SUBMITTED

LEGISLATION TO PROVIDE GUIDANCE FOR THE DESIGNATION OF EMERGENCIES AS A PART OF THE BUDGET PROCESS

ABRAHAM (AND OTHERS) AMENDMENT NO. 254

Mr. LOTT (for Mr. ABRAHAM for himself, Mr. DOMENICI, Mr. THOMPSON, and Mr. VOINOVICH) proposed an amendment to the bill (S. 557) to provide guidance for the designation of emergencies as a part of the budget process; as follows:

At the end of the bill, add the following:

TITLE II—SOCIAL SECURITY SURPLUS PRESERVATION AND DEBT REDUCTION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Social Security Surplus Preservation and Debt Reduction Act''.

SEC. 202. FINDINGS.

Congress finds that—

(1) the $69,246,000,000 unified budget surplus achieved in fiscal year 1998 was entirely due to surpluses generated by the social security trust funds and the cumulative unified budget surpluses projected for subsequent fiscal years are primarily due to surpluses generated by the social security trust funds;

(2) Congress and the President should balance the budget excluding the surpluses generated by the social security trust funds;

(3) according to the Congressional Budget Office, balancing the budget excluding the surpluses generated by the social security trust funds will reduce the debt held by the public by a total of $1,723,000,000,000 by the end of fiscal year 2009; and

(4) social security surpluses should be used for social security reform or to reduce the debt held by the public and should not be spent on other programs.

SEC. 203. PROTECTION OF THE SOCIAL SECURITY TRUST FUNDS.

(a) PROTECTION BY CONGRESS.—

(1) REAFFIRMATION OF SUPPORT.—Congress reaffirms its support for the provisions of section 13301 of the Budget Enforcement Act of 1990 that provides that the receipts and disbursements of the social security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) PROTECTION OF SOCIAL SECURITY BENEFITS.—If there are sufficient balances in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, the Secretary of Treasury shall give priority to the payment of social security benefits required to be paid by law.

(b) POINTS OF ORDER.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

''(j) SOCIAL SECURITY POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates section 13301 of the Budget Enforcement Act of 1990.

''(k) DEBT HELD BY THE PUBLIC POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would—

''(1) increase the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(2) provide additional borrowing authority that would result in the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 being exceeded.

''(l) SOCIAL SECURITY SURPLUS PROTECTION POINT OF ORDER.—

''(1) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that sets forth a deficit in any fiscal year.

''(2) EXCEPTION.—Paragraph (1) shall not apply if—

''(A) the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is suspended; or

''(B) the deficit for a fiscal year results solely from the enactment of—

''(i) social security reform legislation, as defined in section 253A(e)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(ii) provisions of legislation that are designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

(c) SUPERMAJORITY WAIVER AND APPEAL.—Subsections (c)(1) and (d)(2) of section 904 of the Congressional Budget Act of 1974 are amended by striking ''305(b)(2),'' and inserting ''301(k), 301(l), 305(b)(2), 318,''.

(d) CONFORMING AMENDMENT.—Section 318 of the Congressional Budget Act of 1974, as added by this Act, is amended by adding at the end the following:

''(c) EXCEPTION FOR DEFENSE SPENDING.—Subsection (b) shall not apply against an emergency designation for a provision making discretionary appropriations in the defense category.''.

SEC. 204. DEDICATION OF SOCIAL SECURITY SURPLUSES TO REDUCTION IN THE DEBT HELD BY THE PUBLIC.

(a) AMENDMENTS TO THE CONGRESSIONAL BUDGET ACT OF 1974.—The Congressional Budget Act of 1974 is amended—

(1) in section 3, by adding at the end the following:

''(11)(A) The term 'debt held by the public' means the outstanding face amount of all debt obligations issued by the United States Government that are held by outside investors, including individuals, corporations, State or local governments, foreign governments, and the Federal Reserve System.

''(B) For the purpose of this paragraph, the term 'face amount', for any month, of any debt obligation issued on a discount basis that is not redeemable before maturity at the option of the holder of the obligation is an amount equal to the sum of—

''(i) the original issue price of the obligation; plus

''(ii) the portion of the discount on the obligation attributable to periods before the beginning of such month.

''(12) The term 'social security surplus' means the amount for a fiscal year that receipts exceed outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.'';

(2) in section 301(a) by—

(A) redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectfully; and

(B) inserting after paragraph (5) the following:

''(6) the debt held by the public; and''; and

(3) in section 310(a) by—

(A) striking ''or'' at the end of paragraph (3);

(B) by redesignating paragraph (4) as paragraph (5); and

(C) inserting the following new paragraph;

''(4) specify the amounts by which the statutory limit on the debt held by the public is to be changed and direct the committee having jurisdiction to recommend such change; or''.

(b) AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—The Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in section 250, by striking subsection (b) and inserting the following:

''(b) GENERAL STATEMENT OF PURPOSE.—This part provides for the enforcement of—

''(1) a balanced budget excluding the receipts and disbursements of the social security trust funds; and

''(2) a limit on the debt held by the public to ensure that social security surpluses are used for social security reform or to reduce debt held by the public and are not spent on other programs.'';

(2) in section 250(c)(1), by inserting ''' debt held by the public', 'social security surplus' '' after ''outlays', ''; and

(3) by inserting after section 253 the following:

''SEC. 253A. DEBT HELD BY THE PUBLIC LIMIT.

''(a) LIMIT.—The debt held by the public shall not exceed—

''(1) for the period beginning May 1, 2000 through April 30, 2001, $3,628,000,000,000;

''(2) for the period beginning May 1, 2001 through April 30, 2002, $3,512,000,000,000;

''(3) for the period beginning May 1, 2002 through April 30, 2004, $3,383,000,000,000;

''(4) for the period beginning May 1, 2004 through April 30, 2006, $3,100,000,000,000;

''(5) for the period beginning May 1, 2006 through April 30, 2008, $2,775,000,000,000; and,

''(6) for the period beginning May 1, 2008 through April 30, 2010, $2,404,000,000,000.

''(b) ADJUSTMENTS FOR ACTUAL SOCIAL SECURITY SURPLUS LEVELS.—

''(1) ESTIMATED LEVELS.—The estimated level of social security surpluses for the purposes of this section is—

''(A) for fiscal year 1999, $127,000,000,000;

''(B) for fiscal year 2000, $137,000,000,000;

''(C) for fiscal year 2001, $145,000,000,000;

''(D) for fiscal year 2002, $153,000,000,000;

''(E) for fiscal year 2003, $162,000,000,000;

''(F) for fiscal year 2004, $171,000,000,000;

''(G) for fiscal year 2005, $184,000,000,000;

''(H) for fiscal year 2006, $193,000,000,000;

''(I) for fiscal year 2007, $204,000,000,000;

''(J) for fiscal year 2008, $212,000,000,000; and

''(K) for fiscal year 2009, $218,000,000,000.

''(2) ADJUSTMENT TO THE LIMIT FOR ACTUAL SOCIAL SECURITY SURPLUSES.—After October 1 and no later than December 31 of each year, the Secretary shall make the following calculations and adjustments:

''(A) CALCULATION.—After the Secretary determines the actual level for the social security surplus for the current year, the Secretary shall take the estimated level of the social security surplus for that year specified in paragraph (1) and subtract that actual level.

''(B) ADJUSTMENT.—

''(i) 2000 THROUGH 2004.—With respect to the periods described in subsections (a)(1), (a)(2), and (a)(3), the Secretary shall add the amount calculated under subparagraph (A) to—

''(I) the limit set forth in subsection (a) for the period of years that begins on May 1st of the following calendar year; and

''(II) each subsequent limit.

''(ii) 2004 THROUGH 2010.—With respect to the periods described in subsections (a)(4), (a)(5), and (a)(6), the Secretary shall add the amount calculated under subparagraph (A) to—

''(I) the limit set forth in subsection (a) for the period of years that includes May 1st of the following calendar year; and

''(II) each subsequent limit.

''(c) ADJUSTMENT TO THE LIMIT FOR EMERGENCIES.—

''(1) ESTIMATE OF LEGISLATION.—

''(A) CALCULATION.—If legislation is enacted into law that contains a provision that is designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e), OMB shall estimate the amount the debt held by the public will change as a result of the provision's effect on the level of total outlays and receipts excluding the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

''(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

''(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 251(a)(7) or section 252(d), as the case may be.

''(2) ADJUSTMENT.—After January 1 and no later than May 1 of each calendar year beginning with calendar year 2000—

''(A) with respect to the periods described in subsections (a)(1), (a)(2), and (a)(3), the Secretary shall add the amounts calculated under paragraph (1)(A) for the current year included in the report referenced in paragraph (1)(C) to—

''(i) the limit set forth in subsection (a) for the period of years that begins on May 1 of that calendar year; and

''(ii) each subsequent limit; and

''(B) with respect to the periods described in subsections (a)(4), (a)(5), and (a)(6), the Secretary shall add the amounts calculated under paragraph (1)(A) for the current year included in the report referenced in paragraph (1)(C) to—

''(i) the limit set forth in subsection (a) for the period of years that includes May 1 of that calendar year; and

''(ii) each subsequent limit.

''(3) EXCEPTION.—The Secretary shall not make the adjustments pursuant to this section if the adjustments for the current year are less than the on-budget surplus for the year before the current year.

''(d) ADJUSTMENT TO THE LIMIT FOR LOW ECONOMIC GROWTH AND WAR.—

''(1) SUSPENSION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

''(A) LOW ECONOMIC GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth for each of the most recently reported quarter and the immediately preceding quarter is less than 1 percent, the limit on the debt held by the public established in this section is suspended.

''(B) WAR.—If a declaration of war is in effect, the limit on the debt held by the public established in this section is suspended.

''(2) RESTORATION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

''(A) RESTORATION OF LIMIT.—The statutory limit on debt held by the public shall be restored on May 1 following the quarter in which the level of real Gross Domestic Product in the final report from the Department of Commerce is equal to or is higher than the level of real Gross Domestic Product in the quarter preceding the first two quarters that caused the suspension of the pursuant to paragraph (1).

''(B) ADJUSTMENT.—

''(i) CALCULATION.—The Secretary shall take level of the debt held by the public on October 1 of the year preceding the date referenced in subparagraph (A) and subtract the limit in subsection (a) for the period of years that includes the date referenced in subparagraph (A).

''(ii) ADJUSTMENT.—The Secretary shall add the amount calculated under clause (i) to—

''(I) the limit in subsection (a) for the period of fiscal years that includes the date referenced in subparagraph (A); and

''(II) each subsequent limit.

''(e) ADJUSTMENT TO THE LIMIT FOR SOCIAL SECURITY REFORM PROVISIONS THAT AFFECT ON-BUDGET LEVELS.—

''(1) ESTIMATE OF LEGISLATION.—

''(A) CALCULATION.—If social security reform legislation is enacted, OMB shall estimate the amount the debt held by the public will change as a result of the legislation's effect on the level of total outlays and receipts excluding the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

''(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

''(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 252(d) for social security reform legislation.

''(2) ADJUSTMENT TO LIMIT ON THE DEBT HELD BY THE PUBLIC.—If social security reform legislation is enacted, the Secretary shall adjust the limit on the debt held by the public for each period of fiscal years by the amounts determined under paragraph (1)(A) for the relevant fiscal years included in the report referenced in paragraph (1)(C).

''(e) DEFINITIONS.—In this section:

''(1) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(2) SOCIAL SECURITY REFORM LEGISLATION.—The term 'social security reform legislation' means a bill or joint resolution that is enacted into law and includes a provision stating the following:

''( ) SOCIAL SECURITY REFORM LEGISLATION.—For the purposes of the Social Security Surplus Preservation and Debt Reduction Act, this Act constitutes social security reform legislation.'

This paragraph shall apply only to the first bill or joint resolution enacted into law as described in this paragraph.

''(3) SOCIAL SECURITY REFORM PROVISIONS.—The term 'social security reform provisions' means a provision or provisions identified in social security reform legislation stating the following:

''( ) SOCIAL SECURITY REFORM PROVISIONS.—For the purposes of the Social Security Surplus Preservation and Debt Reduction Act, _____ of this Act constitutes or constitute social security reform provisions.', with a list of specific provisions in that bill or joint resolution specified in the blank space.''.

SEC. 205. PRESIDENT'S BUDGET.

Section 1105(f) of title 31, United States Code, is amended by striking ''in a manner consistent'' and inserting ''in compliance''.

SEC. 206. SUNSET.

This title and the amendments made by this title shall expire on April 30, 2010.

ABRAHAM (AND OTHERS) AMENDMENT NO. 255

Mr. ABRAHAM (for himself, Mr. DOMENICI, Mr. ASHCROFT, Mr. LOTT, Mr. NICKLES, Mr. MCCAIN, Mr. FRIST, Mr. CRAPO, Ms. COLLINS, Mr. GRAMS, Mr. VOINOVICH, and Mr. THOMPSON) proposed an amendment to the bill, S. 557, supra; as follows:

In the amendment strike all after the word ''Title'' and add the following:

II—SOCIAL SECURITY SURPLUS PRESERVATION AND DEBT REDUCTION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Social Security Surplus Preservation and Debt Reduction Act''.

SEC. 202. FINDINGS.

Congress finds that—

(1) the $69,246,000,000 unified budget surplus achieved in fiscal year 1998 was entirely due to surpluses generated by the social security trust funds and the cumulative unified budget surpluses projected for subsequent fiscal years are primarily due to surpluses generated by the social security trust funds;

(2) Congress and the President should balance the budget excluding the surpluses generated by the social security trust funds;

(3) according to the Congressional Budget Office, balancing the budget excluding the surpluses generated by the social security trust funds will reduce the debt held by the public by a total of $1,723,000,000,000 by the end of fiscal year 2009; and

(4) social security surpluses should be used for social security reform or to reduce the debt held by the public and should not be spent on other programs.

SEC. 203. PROTECTION OF THE SOCIAL SECURITY TRUST FUNDS.

(a) PROTECTION BY CONGRESS.—

(1) REAFFIRMATION OF SUPPORT.—Congress reaffirms its support for the provisions of section 13301 of the Budget Enforcement Act of 1990 that provides that the receipts and disbursements of the social security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) PROTECTION OF SOCIAL SECURITY BENEFITS.—If there are sufficient balances in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, the Secretary of Treasury shall give priority to the payment of social security benefits required to be paid by law.

(b) POINTS OF ORDER.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

''(j) SOCIAL SECURITY POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates section 13301 of the Budget Enforcement Act of 1990.

''(k) DEBT HELD BY THE PUBLIC POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would—

''(1) increase the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(2) provide additional borrowing authority that would result in the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 being exceeded.

''(1) SOCIAL SECURITY SURPLUS PROTECTION POINT OF ORDER.—

''(1) IN GENERAL.—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that sets forth a deficit in any fiscal year.

''(2) EXCEPTION.—Paragraph (1) shall not apply if—

''(A) the limit on the debt held by the public in section 253A(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is suspended; or

''(B) the deficit for a fiscal year results solely from the enactment of—

''(i) social security reform legislation, as defined in section 253A(e)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(ii) provisions of legislation that are designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

(c) SUPERMAJORITY WAIVER AND APPEAL.—Subsections (c)(1) and (d)(2) of section 904 of the Congressional Budget Act of 1974 are amended by striking ''305(b)(2),'' and inserting ''301(k), 301(l), 305(b)(2), 318,''.

(d) CONFORMING AMENDMENT.—Section 318 of the Congressional Budget Act of 1974, as added by this Act, is amended by adding at the end the following:

''(c) EXCEPTION FOR DEFENSE SPENDING.—Subsection (b) shall not apply against an emergency designation for a provision making discretionary appropriations in the defense category.''.

SEC. 204. DEDICATION OF SOCIAL SECURITY SURPLUSES TO REDUCTION IN THE DEBT HELD BY THE PUBLIC.

(a) AMENDMENTS TO THE CONGRESSIONAL BUDGET ACT OF 1974.—The Congressional Budget Act of 1974 is amended—

(1) in section 3, by adding at the end the following:

''(11)(A) The term 'debt held by the public' means the outstanding face amount of all debt obligations issued by the United States Government that are held by outside investors, including individuals, corporations, State or local governments, foreign governments, and the Federal Reserve System.

''(B) For the purpose of this paragraph, the term 'face amount', for any month, of any debt obligation issued on a discount basis that is not redeemable before maturity at the option of the holder of the obligation is an amount equal to the sum of—

''(i) the original issue price of the obligation; plus

''(ii) the portion of the discount on the obligation attributable to periods before the beginning of such month.

''(12) The term 'social security surplus' means the amount for a fiscal year that receipts exceed outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.'';

(2) in section 301(a) by—

(A) redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectfully; and

(B) inserting after paragraph (5) the following:

''(6) the debt held by the public; and''; and

(3) in section 310(a) by—

(A) striking ''or'' at the end of paragraph (3);

(B) by redesignating paragraph (4) as paragraph (5); and

(C) inserting the following new paragraph;

''(4) specify the amounts by which the statutory limit on the debt held by the public is to be changed and direct the committee having jurisdiction to recommend such change; or''.

(b) AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—The Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in section 250, by striking subsection (b) and inserting the following:

''(b) GENERAL STATEMENT OF PURPOSE.—This part provides for the enforcement of—

''(1) a balanced budget excluding the receipts and disbursements of the social security trust funds; and

''(2) a limit on the debt held by the public to ensure that social security surpluses are used for social security reform or to reduce debt held by the public and are not spent on other programs.'';

(2) in section 250(c)(1), by inserting '' ' debt held by the public', 'social security surplus' '' after ''outlays', ''; and

(3) by inserting after section 253 the following:

''SEC. 253A. DEBT HELD BY THE PUBLIC LIMIT.

''(a) LIMIT.—The debt held by the public shall not exceed—

''(1) for the period beginning May 1, 2000 through April 30, 2001, $3,628,000,000,000;

''(2) for the period beginning May 1, 2001 through April 30, 2002, $3,512,000,000,000;

''(3) for the period beginning May 1, 2002 through April 30, 2004, $3,383,000,000,000;

''(4) for the period beginning May 1, 2004 through April 30, 2006, $3,100,000,000,000;

''(5) for the period beginning May 1, 2006 through April 30, 2008, $2,775,000,000,000; and,

''(6) for the period beginning May 1, 2008 through April 30, 2010, $2,404,000,000,000.

''(b) ADJUSTMENTS FOR ACTUAL SOCIAL SECURITY SURPLUS LEVELS.—

''(1) ESTIMATED LEVELS.—The estimated level of social security surpluses for the purposes of this section is—

''(A) for fiscal year 1999, $127,000,000,000;

''(B) for fiscal year 2000, $137,000,000,000;

''(C) for fiscal year 2001, $145,000,000,000;

''(D) for fiscal year 2002, $153,000,000,000;

''(E) for fiscal year 2003, $162,000,000,000;

''(F) for fiscal year 2004, $171,000,000,000;

''(G) for fiscal year 2005, $184,000,000,000;

''(H) for fiscal year 2006, $193,000,000,000;

''(I) for fiscal year 2007, $204,000,000,000;

''(J) for fiscal year 2008, $212,000,000,000; and

''(K) for fiscal year 2009, $218,000,000,000.

''(2) ADJUSTMENT TO THE LIMIT FOR ACTUAL SOCIAL SECURITY SURPLUSES.—After October 1 and no later than December 31 of each year, the Secretary shall make the following calculations and adjustments:

''(A) CALCULATION.—After the Secretary determines the actual level for the social security surplus for the current year, the Secretary shall take the estimated level of the social security surplus for that year specified in paragraph (1) and subtract that actual level.

''(B) ADJUSTMENT.—

''(i) 2000 THROUGH 2004.—With respect to the periods described in subsections (a)(1), (a)(2), and (a)(3), the Secretary shall add the amount calculated under subparagraph (A) to—

''(I) the limit set forth in subsection (a) for the period of years that begins on May 1st of the following calendar year; and

''(II) each subsequent limit.

''(ii) 2004 THROUGH 2010.—With respect to the periods described in subsections (a)(4), (a)(5), and (a)(6), the Secretary shall add the amount calculated under subparagraph (A) to—

''(I) the limit set forth in subsection (a) for the period of years that includes May 1st of the following calendar year; and

''(II) each subsequent limit.

''(c) ADJUSTMENT TO THE LIMIT FOR EMERGENCIES.—

''(1) ESTIMATE OF LEGISLATION.—

''(A) CALCULATION.—If legislation is enacted into law that contains a provision that is designated as an emergency requirement pursuant to section 251(b)(2)(A) or 252(e), OMB shall estimate the amount the debt held by the public will change as a result of the provision's effect on the level of total outlays and receipts excluding the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

''(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

''(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 251(a)(7) or section 252(d), as the case may be.

''(2) ADJUSTMENT.—After January 1 and no later than May 1 of each calendar year beginning with calendar year 2000—

''(A) with respect to the periods described in subsections (a)(1), (a)(2), and (a)(3), the Secretary shall add the amounts calculated under paragraph (1)(A) for the current year included in the report referenced in paragraph (1)(C) to—

''(i) the limit set forth in subsection (a) for the period of years that begins on May 1 of that calendar year; and

''(ii) each subsequent limit; and

''(B) with respect to the periods described in subsections (a)(4), (a)(5), and (a)(6), the Secretary shall add the amounts calculated under paragraph (1)(A) for the current year included in the report referenced in paragraph (1)(C) to—

''(i) the limit set forth in subsection (a) for the period of years that includes May 1 of that calendar year; and

''(ii) each subsequent limit.

''(3) EXCEPTION.—The Secretary shall not make the adjustments pursuant to this section if the adjustments for the current year are less than the on-budget surplus for the year before the current year.

''(d) ADJUSTMENT TO THE LIMIT FOR LOW ECONOMIC GROWTH AND WAR.—

''(1) SUSPENSION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

''(A) LOW ECONOMIC GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth for each of the most recently reported quarter and the immediately preceding quarter is less than 1 percent, the limit on the debt held by the public established in this section is suspended.

''(B) WAR.—If a declaration of war is in effect, the limit on the debt held by the public established in this section is suspended.

''(2) RESTORATION OF STATUTORY LIMIT ON DEBT HELD BY THE PUBLIC.—

''(A) RESTORATION OF LIMIT.—The statutory limit on debt held by the public shall be restored on May 1 following the quarter in which the level of real Gross Domestic Product in the final report from the Department of Commerce is equal to or is higher than the level of real Gross Domestic Product in the quarter preceding the first two quarters that caused the suspension of the pursuant to paragraph (1).

''(B) ADJUSTMENT.—

''(i) CALCULATION.—The Secretary shall take level of the debt held by the public on October 1 of the year preceding the date referenced in subparagraph (A) and subtract the limit in subsection (a) for the period of years that includes the date referenced in subparagraph (A).

''(ii) ADJUSTMENT.—The Secretary shall add the amount calculated under clause (i) to—

''(I) the limit in subsection (a) for the period of fiscal years that includes the date referenced in subparagraph (A); and

''(II) each subsequent limit.

''(e) ADJUSTMENT TO THE LIMIT FOR SOCIAL SECURITY REFORM PROVISIONS THAT AFFECT ON-BUDGET LEVELS.—

''(1) ESTIMATE OF LEGISLATION.—

''(A) CALCULATION.—If social security reform legislation is enacted, OMB shall estimate the amount the debt held by the public will change as a result of the legislation's effect on the level of total outlays and receipts excluding the impact on outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

''(B) BASELINE LEVELS.—OMB shall calculate the changes in subparagraph (A) relative to baseline levels for each fiscal year through fiscal year 2010 using current estimates.

''(C) ESTIMATE.—OMB shall include the estimate required by this paragraph in the report required under section 252(d) for social security reform legislation.

''(2) ADJUSTMENT TO LIMIT ON THE DEBT HELD BY THE PUBLIC.—If social security reform legislation is enacted, the Secretary shall adjust the limit on the debt held by the public for each period of fiscal years by the amounts determined under paragraph (1)(A) for the relevant fiscal years included in the report referenced in paragraph (1)(C).

''(e) DEFINITIONS.—In this section:

''(1) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(2) SOCIAL SECURITY REFORM LEGISLATION.—The term 'social security reform legislation' means a bill or joint resolution that is enacted into law and includes a provision stating the following:

'' '( ) SOCIAL SECURITY REFORM LEGISLATION.—For the purposes of the Social Security Surplus Preservation and Debt Reduction Act, this Act constitutes social security reform legislation.'

This paragraph shall apply only to the first bill or joint resolution enacted into law as described in this paragraph.

''(3) SOCIAL SECURITY REFORM PROVISIONS.—The term 'social security reform provisions' means a provision or provisions identified in social security reform legislation stating the following:

'' '( ) SOCIAL SECURITY REFORM PROVISIONS.—For the purposes of the Social Security Surplus Preservation and Debt Reduction Act, _____ of this Act constitutes or constitute social security reform provisions.', with a list of specific provisions in that bill or joint resolution specified in the blank space.''.

SEC. 205. PRESIDENT'S BUDGET.

Section 1105(f) of title 31, United States Code, is amended by striking ''in a manner consistent'' and inserting ''in compliance''.

SEC. 206. SUNSET.

This title and the amendments made by this title shall expire on April 30, 2010.

This section shall become effective 1 day after enactment.

NOTICE OF HEARING

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 April 21, 1999, in SR–328A at 8:30 a.m. The purpose of this meeting will be to review the USDA Office of the Inspector General's report on crop insurance reform.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, April 20, 1999, at 9:30 a.m., in closed session, to receive a briefing on current military operations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Armed Services Subcommittee on Emerging Threats and Capabilities be authorized to meet at 2:30 p.m. on Tuesday, April 20, 1999, in open session, to receive testimony on the science and technology program, in review of the defense authorization request for fiscal year 2000 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. 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, April 20, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to receive testimony on S. 25, the Conservation and Reinvestment Act of 1999; S. 446, the Resources 2000 Act; S. 532, the Public Land and Recreation Investment Act of 1999; and the Administration's Lands Legacy proposal.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 20, 1999, at 9:30 a.m., to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 20, 1999, at 2:30 p.m., to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on April 20, 1999, at 10:30 a.m., for a hearing on the nominations of Stephen Glickman to be associate judge of the D.C. Court of Appeals, Judge Eric Washington to be associate judge of the D.C. Court of Appeals, and Hiram Puig-Lugo to be associate judge of the D.C. Superior Court.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CRAIG. I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing regarding Senate Joint Resolution 14, proposing an amendment to the Constitution of the United States, authorizing Congress to prohibit the physical desecration of the flag of the United States, during the session of the Senate on Tuesday, April 20, 1999, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CRAIG. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the Department of Veterans Affairs contingency plans for year 2000. The hearing will be held on Tuesday, April 20, 1999, at 2:30 p.m., in room 418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO EXERCISE TIGER VETERANS

• Mr. LUGAR. Mr. President, I rise today to honor Hoosier and American veterans of Exercise Tiger. Exercise Tiger began as a top secret naval ''dress rehearsal'' for the impending Allied Invasion of Normandy. In the early morning of April 28, 1944, German warships attacked eight American tank landing ships (LST's) without warning during the exercise in the English Channel. Two American LST's were sunk, and a third was crippled. Of the 4,000-man force, 749 were lost in this short battle.

On April 23, Exercise Tiger veterans will be honored at Crown Hill Cemetery in Indianapolis, Indiana in commemoration of the 55th anniversary of the engagement. Tom Glynn, a retired US Navy veteran of Exercise Tiger, will lay a wreath at the grave of Frederick C. Carr, US Navy, LST–531, who died in the operation at Slapton Sands. The toll of a US Navy ship's bell will bring the ceremony to a close, ringing once for each of the eight ships involved in Exercise Tiger.

Because of the sensitive nature of the mission, veterans of Exercise Tiger were not properly recognized after the operation. Today's ceremony in Indianapolis is the first tribute in Indiana to honor the memory of fallen heroes of the battle. I ask my colleagues to join me today in honoring these courageous servicemen for their valiant service to the United States of America.•

TRIBUTE TO JAMES P. SCHUETTE

• Mr. KOHL. Mr. President, I rise today to honor Outagamie County Executive James P. Schuette, who is retiring this April after 25 years of service. A lifelong resident of Outagamie

county, Mr. Schuette has shown great commitment to serving the region where he was raised.

During his years of public service, Mr. Schuette has been an integral part of many committees that have seen Outagamie county become one of the fastest growing regions in Wisconsin. He has been a member of the Property Committee and witnessed the county's first recycling facility and the purchase and acquisition of land for public parks. While on the legislative committee, he saw region become more politically active on the state level as the area grew and became more prosperous. In the final two years of his career, he attained the venerable position of County Executive.

Mr. Schuette is also a patriot. For nine years he served as a sergeant and drill instructor with the United States Marine Corps. After leaving the Marines, he continued his commitment to the armed forces with the United States Army Reserves, serving for 19 years and achieving the rank of Sergeant First Class.

James Schuette is an exemplary member of the Outagamie County community and a tribute to his country. We must applaud his dedication and devotion to the community where he grew up as we wish James all the best for his retirement and congratulate him on his many years of service in our State.●

THE RETIREMENT OF DAVID WOLFE

● Mr. COCHRAN. Mr. President, I bring to the Senate's attention the retirement of Mr. David Wolfe, the Deputy District Engineer for Project Management at the Memphis District of the U.S. Army Corps of Engineers.

Mr. Wolf held several positions during his 39 years with the District, including Assistant Chief of Planning Division, Chief of the Information Management Office, and Chief of the Planning Division. He has served as Deputy District Engineer since 1994.

During his time at the Memphis District, Mr. Wolf initiated several projects unique to the District and the Corps of Engineers. The Grand Prairie Region and Bayou Meto Basin, Arkansas Project provides irrigation for agriculture and reverses the depletion of groundwater supply in central Arkansas. The Magnolia Street Project in Hickman, Kentucky is a soil-saving, bluff stability project. Serving as a member of the Mississippi Valley Division's Resource Management Board, Mr. Wolfe led the merging of Memphis District's Planning Division with the Programs and Project Management Division.

Mr. Wolfe's outstanding technical and leadership capabilities have made him a vital resource for my office and the people of Mississippi. In particular, he should be recognized for his assistance to the flood control needs of northwest Mississippi.

Upon his retirement on March 31, 1999, Mr. Wolfe was presented with the Bronze de Fleury Medal in recognition of his contributions to the Engineer Regiment.

I know that all Senators join me in thanking David for his many years of service and in wishing him our best for his retirement.●

ERIC TYLER, THE NEWEST MEMBER OF THE STEPHENSON FAMILY

● Mr. BENNETT. Mr. President, I would like to recognize an exceptionally special event that occurred yesterday, April 19, 1999. John Stephenson, Deputy Staff Director for the Senate Special Committee on the Year 2000 (Y2K) Technology Problem, and his wife welcomed the arrival of Eric Tyler, the newest member of the Stephenson family. Eric arrived yesterday at 11:53 a.m. weighing in at a healthy 6 pounds 15 ounces and measuring 19 inches long. I am extremely pleased to offer my sincere congratulations to John, Penny, and Eric's older sister, Kaitlyn.

I must say that the staff leadership within the Y2K committee has been a prolific one. Late last year on September 17, 1998, Robert Cresanti, Committee Staff Director, and Colleen, his wife, introduced Katja Maria, their first-born child, who arrived measuring 20.5 inches and a hearty 8 pounds 10 ounces. This is an excellent opportunity to express my personal heartfelt congratulations to Robert and Colleen.

As I ponder these events, I wonder if there is any connection to the fact that we now have another member of the committee professional staff that is expecting their third child. You might question if the due date is targeted for January 1, 2000. I will tell you that at this point, the expected delivery date is much earlier, November 26th. We will anxiously await yet another addition to the committee staff's offspring.●

REGISTRATION OF MASS MAILINGS

The filing date for 1999 first quarter mass mailings is April 26, 1999. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records office will be open from 8:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

PERSONAL FINANCIAL DISCLOSURE

Financial Disclosure Reports required by the Ethics in Government Act of 1978, as amended and Senate Rule 34 must be filed no later than close of business on Monday, May 17, 1999. The reports must be filed with the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510. The Public Records office will be open from 8:00 a.m. until 6:00 p.m. to accept these filings, and will provide written receipts for Senators' reports. Staff members may obtain written receipts upon request. Any written request for an extension should be directed to the Select Committee on Ethics, 220 Hart Building, Washington, DC 20510.

All Senators' reports will be made available simultaneously on Friday, June 11. Any questions regarding the availability of reports should be directed to the Public Records office (224–0322). Questions regarding interpretation of the Ethics in Government Act of 1978 should be directed to the Select Committee on Ethics (224–2981).

S. 507—WATER RESOURCES DEVELOPMENT ACT OF 1999

On April 19, 1999, the Senate passed S. 507, the Water Resources Development Act of 1999. The text of the bill 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 of 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. Aquatic ecosystem restoration.
Sec. 206. Beneficial uses of dredged material.
Sec. 207. Voluntary contributions by States and political subdivisions.
Sec. 208. Recreation user fees.
Sec. 209. Water resources development studies for the Pacific region.
Sec. 210. Missouri and Middle Mississippi Rivers enhancement project.
Sec. 211. Outer Continental Shelf.
Sec. 212. Environmental dredging.
Sec. 213. Benefit of primary flood damages avoided included in benefit-cost analysis.
Sec. 214. Control of aquatic plant growth.
Sec. 215. Environmental infrastructure.
Sec. 216. Watershed management, restoration, and development.
Sec. 217. Lakes program.
Sec. 218. Sediments decontamination policy.
Sec. 219. Disposal of dredged material on beaches.

Sec. 220. Fish and wildlife mitigation.
Sec. 221. Reimbursement of non-Federal interest.
Sec. 222. National Contaminated Sediment Task Force.
Sec. 223. John Glenn Great Lakes Basin program.
Sec. 224. Projects for improvement of the environment.
Sec. 225. Water quality, environmental quality, recreation, fish and wildlife, flood control, and navigation.
Sec. 226. Irrigation diversion protection and fisheries enhancement assistance.
Sec. 227. Small storm damage reduction projects.
Sec. 228. Shore damage prevention or mitigation.
Sec. 229. Atlantic coast of New York.
Sec. 230. Accelerated adoption of innovative technologies for contaminated sediments.
Sec. 231. Mississippi River Commission.
Sec. 232. Use of private enterprises.

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. 330. Anacostia River aquatic ecosystem restoration, District of Columbia and Maryland.
Sec. 331. Everglades and south Florida ecosystem restoration.
Sec. 332. Pine Flat Dam, Kings River, California.
Sec. 333. Levees in Elba and Geneva, Alabama.
Sec. 334. Toronto Lake and El Dorado Lake, Kansas.
Sec. 335. San Jacinto disposal area, Galveston, Texas.
Sec. 336. Environmental infrastructure.
Sec. 337. Water monitoring station.
Sec. 338. Upper Mississippi River comprehensive plan.
Sec. 339. McNary Lock and Dam, Washington.
Sec. 340. McNary National Wildlife Refuge.

TITLE IV—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

Sec. 401. Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration.

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 cost 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.—

(A) IN GENERAL.—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 $28,426,000, with an estimated Federal cost of $18,994,000 and an estimated non-Federal cost of $9,432,000.

(B) CREDIT OR REIMBURSEMENT.—If a project cooperation agreement is entered into, the non-Federal interest shall receive credit or reimbursement of the Federal share of project costs for construction work performed by the non-Federal interest before execution of the project cooperation agreement if the Secretary finds the work to be integral to the project.

(C) STUDY OF MODIFICATIONS.—During the preconstruction engineering and design phase of the project, the Secretary shall conduct a study to determine the feasibility of undertaking further modifications to the Dundalk Marine Terminal access channels, consisting of—

(i) deepening and widening the Dundalk access channels to a depth of 50 feet and a width of 500 feet;

(ii) widening the flares of the access channels; and

(iii) providing a new flare on the west side of the entrance to the east access channel.

(D) REPORT.—

(i) IN GENERAL.—Not later than March 1, 2000, the Secretary shall submit to Congress a report on the study under subparagraph (C).

(ii) CONTENTS.—The report shall include a determination of—

(I) the feasibility of performing the project modifications described in subparagraph (C); and

(II) the appropriateness of crediting or reimbursing the Federal share of the cost of the work performed by the non-Federal interest on the project modifications.

(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 a favorable 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) ARROYO PASAJERO, CALIFORNIA..—The project for flood damage reduction, Arroyo Pasajero, California, at a total cost of $260,700,000, with an estimated first Federal cost of $170,100,000 and an estimated first non-Federal cost of $90,600,000.

(4) 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.

(5) 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.

(6) SUCCESS DAM, TULE RIVER BASIN, CALIFORNIA.—The project for flood damage reduction and water supply, Success Dam, Tule River basin, California, at a total cost of $17,900,000, with an estimated first Federal cost of $11,635,000 and an estimated first non-Federal cost of $6,265,000.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) 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.

(12) 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.

(13) 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.

(14) DELAWARE BAY COASTLINE, OAKWOOD BEACH, NEW JERSEY.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction, Delaware Bay coastline, Oakwood Beach, New Jersey, at a total cost of $3,380,000, with an estimated Federal cost of $2,197,000 and an estimated non-Federal cost of $1,183,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $90,000, with an estimated annual Federal cost of $58,000 and an estimated annual non-Federal cost of $32,000.

(15) DELAWARE BAY COASTLINE, REEDS BEACH AND PIERCES POINT, NEW JERSEY.—The project for environmental restoration, Delaware Bay coastline, Reeds Beach and Pierces Point, New Jersey, at a total cost of $4,057,000, with an estimated Federal cost of $2,637,000 and an estimated non-Federal cost of $1,420,000.

(16) DELAWARE BAY COASTLINE, VILLAS AND VICINITY, NEW JERSEY.—The project for environmental restoration, Delaware Bay coastline, Villas and vicinity, New Jersey, at a total cost of $7,520,000, with an estimated Federal cost of $4,888,000 and an estimated non-Federal cost of $2,632,000.

(17) 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.

(18) 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.

(19) COLUMBIA RIVER CHANNEL DEEPENING, OREGON AND WASHINGTON.—

(A) IN GENERAL.—The project for navigation, Columbia River channel deepening, Oregon and Washington, at a total cost of $176,700,000, with an estimated Federal cost of $116,900,000 and an estimated non-Federal cost of $59,800,000.

(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 $1,200,000.

(20) 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.

(21) JOHNSON CREEK, ARLINGTON, TEXAS.—The project for flood damage reduction, environmental restoration, and recreation, Johnson Creek, Arlington, Texas, at a total cost of $20,300,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,300,000.

(22) 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) ST. JOHNS COUNTY SHORE PROTECTION, FLORIDA.—

(A) IN GENERAL.—The project for hurricane and storm damage reduction and shore protection, St. Johns County, Florida, authorized by section 501(a) of the Water Resources Development Act of 1986 (100 Stat. 4133) is modified to authorize the Secretary to include navigation mitigation as a purpose of the project in accordance with the report of the Corps of Engineers dated November 18, 1998, at a total cost of $16,086,000, with an estimated Federal cost of $12,949,000 and an estimated non-Federal cost of $3,137,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period at an estimated average annual cost of $1,251,000, with an estimated annual Federal cost of $1,007,000 and an estimated annual non-Federal cost of $244,000.

(3) 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.

(4) 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.

(5) 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.

(6) 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) FORT PIERCE SHORE PROTECTION, FLORIDA.—

(A) IN GENERAL.—The Fort Pierce, Florida, shore protection and harbor mitigation project authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1092) and section 506(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3757) is modified to include an additional 1-mile extension of the project and increased Federal participation in accordance with section 101(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(c)), as described in the general reevaluation report approved by the Chief of Engineers, at an estimated total cost of $9,128,000, with an estimated Federal cost of $7,074,000 and an estimated non-Federal cost of $2,054,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period for the modified project, at an estimated annual cost of $559,000, with an estimated annual Federal cost of $433,000 and an estimated annual non-Federal cost of $126,000.

(2) 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 Natural Resources Conservation Service Thornton Reservoir (Structure 84), 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 Natural Resources Conservation Service Thornton Reservoir (Structure 84) 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.

(3) 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 AS PART OF THE 6-FOOT ANCHORAGE.—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.

(D) REDESIGNATION AS PART OF THE 6-FOOT CHANNEL.—The following portion of the project shall be redesignated as part of the 6-foot channel: the portion 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.

(E) REALIGNMENT.—The portion of the project described in subparagraph (D) 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.

(F) RELOCATION.—The Secretary may relocate the settling basin feature of the project to the outer harbor between the jetties.

(G) CONSERVATION EASEMENT.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, may accept a conveyance of the right, but not the obligation, to enforce a conservation easement to be held by the State of Maine over certain land owned by the town of Wells, Maine, that is adjacent to the Rachel Carson National Wildlife Refuge.

(4) NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, New York Harbor and adjacent channels, Port Jersey, New Jersey, authorized by section 201(b) of the Water Resources Development Act of 1986 (100 Stat. 4091), is modified to authorize the Secretary to construct the project at a total cost of $102,545,000, with an estimated Federal cost of $76,909,000 and an estimated non-Federal cost of $25,636,000.

(B) BERTHING AREAS AND OTHER LOCAL FACILITIES.—The non-Federal interests shall provide berthing areas and other local service facilities necessary for the project at an estimated cost of $722,000.

(5) WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON.—The project for environmental restoration, Willamette River Temperature Control, McKenzie Subbasin, Oregon, authorized by section 101(a)(25) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary to construct the project at a total Federal cost of $64,741,000.

(6) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(A) IN GENERAL.—The project for flood control, power generation and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by House Document 917, Seventy-sixth Congress, Third Session, and House Document 290, Seventy-seventh Congress, First Session, approved August 18, 1941, and House Document 499, Eighty-third Congress, Second Session, approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) is modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following amounts of project storage: Beaver Lake, 3.5 feet; Table Rock, 2 feet; Bull Shoals Lake, 5 feet; Norfork Lake, 3.5 feet; and Greers Ferry Lake, 3 feet. The Secretary shall complete such report and submit it to the Congress by July 30, 2000.

(B) REPORT.—The report of the Chief of Engineers, required by this subsection, shall also include a determination that the modification of the project in subparagraph (A) does not adversely affect other authorized

project purposes, and that no Federal costs are incurred.

(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 paragraph (2)(A) 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 paragraph (6).

(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, 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 paragraphs (1) and (2) 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 paragraphs (1) and (2) that is not retained in public ownership and used for 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.

(u) LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA.—

(1) IN GENERAL.—The project for shoreline protection, Lee County, Captiva Island segment, Florida, authorized by section 506(b)(3)(A) of the Water Resources Development Act of 1996 (110 Stat. 3758), is modified to direct the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1).

(2) DECISION DOCUMENT.—The design memorandum approved in 1996 shall be the decision document supporting continued Federal participation in cost sharing of the project.

(v) COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON.—

(1) IN GENERAL.—The project for navigation, Columbia River between Vancouver, Washington, and The Dalles, Oregon, authorized by the first section of the Act of July 24, 1946 (60 Stat. 637, chapter 595), is modified to authorize the Secretary to construct an alternate barge channel to traverse the high span of the Interstate Route 5 bridge between Portland, Oregon, and Vancouver, Washington, to a depth of 17 feet, with a width of approximately 200 feet through the high span of the bridge and a width of approximately 300 feet upstream of the bridge.

(2) DISTANCE UPSTREAM.—The channel shall continue upstream of the bridge approximately 2,500 feet to about river mile 107, then to a point of convergence with the main barge channel at about river mile 108.

(3) DISTANCE DOWNSTREAM.—

(A) SOUTHERN EDGE.—The southern edge of the channel shall continue downstream of the bridge approximately 1,500 feet to river mile 106+10, then turn northwest to tie into the edge of the Upper Vancouver Turning Basin.

(B) NORTHERN EDGE.—The northern edge of the channel shall continue downstream of the bridge to the Upper Vancouver Turning Basin.

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) CARVERS HARBOR, VINALHAVEN, MAINE.—

(1) DEAUTHORIZATION.—The portion of the project for navigation, Carvers Harbor, Vinalhaven, Maine, authorized by the Act of June 3, 1896 (commonly known as the ''River and Harbor Appropriations Act of 1896'') (29 Stat. 202, chapter 314), described in paragraph (2) is not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portion of the project referred to in paragraph (1) is the portion of the 16-foot anchorage beginning at a point with coordinates N137,502.04, E895,156.83, thence running south 6 degrees 34 minutes 57.6 seconds west 277.660 feet to a point N137,226.21, E895,125.00, thence running north 53 degrees, 5 minutes 42.4 seconds west 127.746 feet to a point N137,302.92, E895022.85, thence running north 33 degrees 56 minutes 9.8 seconds east 239.999 feet to the point of origin.

(e) 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).''.

(f) SEARSPORT HARBOR, SEARSPORT, MAINE.—

(1) DEAUTHORIZATION.—The portion of the project for navigation, Searsport Harbor, Searsport, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), described in paragraph (2) is not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portion of the project referred to in paragraph (1) is the portion of the 35-foot turning basin beginning at a point with coordinates N225,008.38, E395,464.26, thence running north 43 degrees 49 minutes 53.4 seconds east 362.001 feet to a point N225,269.52, E395,714.96, thence running south 71 degrees 27 minutes 33.0 seconds east 1,309.201 feet to a point N224,853.22, E396,956.21, thence running north 84 degrees 3 minutes 45.7 seconds west 1,499.997 feet to the point of origin.

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) BOYDSVILLE, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of reservoir and associated improvements to provide for flood control, recreation, water quality, water supply, and fish and wildlife purposes in the vicinity of Boydsville, Arkansas.

(c) UNION COUNTY, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of municipal and industrial water supply for Union County, Arkansas.

(d) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(1) IN GENERAL.—The Secretary shall conduct a study of the project for flood control, power generation, and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by H. Doc. 917, 76th Cong., 3d Sess., and H. Doc. 290, 77th Cong., 1st Sess., approved August 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess., approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) to determine the feasibility of modifying the project to provide minimum flows necessary to sustain the tail water trout fisheries.

(2) REPORT.—Not later than July 30, 2000, the Secretary shall submit to Congress a report on the study and any recommendations on reallocation of storage at Beaver Lake, Table Rock, Bull Shoals Lake, Norfolk Lake, and Greers Ferry Lake.

(e) 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.

(f) FRAZIER CREEK, TULARE COUNTY, CALIFORNIA.—The Secretary shall conduct a study to determine—

(1) the feasibility of restoring Frazier Creek, Tulare County, California; and

(2) the Federal interest in flood control, environmental restoration, conservation of fish and wildlife resources, recreation, and water quality of the creek.

(g) 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.

(h) 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.

(i) 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.

(j) 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.

(k) 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.

(l) 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.

(m) 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.

(n) BOISE, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking flood control on the Boise River in Boise, Idaho.

(o) 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.

(p) LITTLE WOOD RIVER, GOODING, IDAHO.—The Secretary shall conduct a study to determine the feasibility of restoring and repairing the Lava Rock Little Wood River Containment System to prevent flooding in the city of Gooding, Idaho.

(q) BANK STABILIZATION, SNAKE RIVER, LEWISTON, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking bank stabilization and flood control on the Snake River at Lewiston, Idaho.

(r) SNAKE RIVER AND PAYETTE RIVER, IDAHO.—The Secretary shall conduct a study to determine the feasibility of a flood control project along the Snake River and Payette River, in the vicinity of Payette, Idaho.

(s) 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.

(t) 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.

(u) 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.

(v) 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.

(w) 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.

(x) 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, compaction, subsidence, wind and wave action, bank failure, and other problems relating to water resources in the area.

(y) 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.

(z) 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).

(aa) MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.—

(1) IN GENERAL.—The Secretary shall evaluate the January 1999 study commissioned by the Boston Parks and Recreation Department, Boston, Massachusetts, and entitled ''The Emerald Necklace Environmental Improvement Master Plan, Phase I Muddy River Flood Control, Water Quality and Habitat Enhancement'', to determine whether the plans outlined in the study for flood control, water quality, habitat enhancements, and other improvements to the Muddy River in Brookline and Boston, Massachusetts, are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(2) REPORT.—Not later than December 31, 1999, the Secretary shall report to Congress the results of the evaluation.

(bb) 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.

(cc) 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.

(dd) 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.

(ee) DREDGED MATERIAL MANAGEMENT, PASCAGOULA HARBOR, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine an alternative

plan for dredged material management for the Pascagoula River portion of the project for navigation, Pascagoula Harbor, Mississippi, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4094).

(2) CONTENTS.—The study under paragraph (1) shall—

(A) include an analysis of the feasibility of expanding the Singing River Island Disposal Area or constructing a new dredged material disposal facility; and

(2) identify methods of managing and reducing sediment transport into the Federal navigation channel.

(ff) 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.

(gg) 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, 2000, the Secretary shall submit to Congress a report on the results of the study.

(hh) 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.

(ii) 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.

(jj) 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.

(kk) 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.

(ll) 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.

(mm) CHAGRIN, OHIO.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of undertaking flood damage reduction at 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.

(nn) 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.

(oo) 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.

(pp) 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.

(qq) 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.

(rr) CONTAMINATED DREDGED MATERIAL AND SEDIMENT MANAGEMENT, SOUTH CAROLINA COASTAL AREAS.—

(1) IN GENERAL.—The Secretary shall review pertinent reports and conduct other studies and field investigations to determine the best available science and methods for management of contaminated dredged material and sediments in the coastal areas of South Carolina.

(2) FOCUS.—In carrying out subsection (a), the Secretary shall place particular focus on areas where the Corps of Engineers maintains deep draft navigation projects, such as Charleston Harbor, Georgetown Harbor, and Port Royal, South Carolina.

(3) COOPERATION.—The studies shall be conducted in cooperation with the appropriate Federal and State environmental agencies.

(ss) 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.

(tt) 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.

(uu) MOUNT ST. HELENS ENVIRONMENTAL RESTORATION, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of ecosystem restoration improvements throughout the Cowlitz and Toutle River basins, Washington, including the 6,000 acres of wetland, riverine, riparian, and upland habitats lost or altered due to the eruption of Mount St. Helens in 1980 and subsequent emergency actions.

(2) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(A) work in close coordination with local governments, watershed entities, the State of Washington, and other Federal agencies; and

(B) place special emphasis on—

(i) conservation and restoration strategies to benefit species that are listed or proposed for listing as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) other watershed restoration objectives.

(vv) 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.

(ww) 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.

(xx) 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.

(yy) 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.

(zz) 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.

(aaa) GREAT LAKES NAVIGATIONAL SYSTEM.—In consultation with the St. Lawrence Seaway Development Corporation, the Secretary shall review the Great Lakes Connecting Channel and Harbors Report dated March 1985 to determine the feasibility of any modification of the recommendations made in the report to improve commercial navigation on the Great Lakes navigation system, including locks, dams, harbors, ports, channels, and other related features.

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) Los Angeles County drainage area, California;

(2) Napa River Valley watershed, California;

(3) Le May, Missouri;

(4) the upper Delaware River basin, New York;

(5) Mill Creek, Cincinnati, Ohio;

(6) Tillamook County, Oregon;

(7) Willamette River basin, Oregon;

(8) Delaware River, Pennsylvania;

(9) Schuylkill River, Pennsylvania; and

(10) Providence County, Rhode Island.

(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. 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. 206. 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. 207. 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. 208. 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. 4601–6a(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. 4601–6a(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. 209. 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. 210. 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. 211. 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. 212. 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.

''(7) Willamette River, Oregon.''.

SEC. 213. 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. 214. CONTROL OF AQUATIC PLANT GROWTH.

Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)) is amended in the first sentence by striking ''water-hyacinth, alligatorweed, Eurasian water milfoil, melaleuca,'' and inserting ''Alligatorweed, Aquaticum, Arundo Dona, Brazilian Elodea, Cabomba, Melaleuca, Myrophyllum, Spicatum, Tarmarix, Water Hyacinth,''.

SEC. 215. 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. 216. 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.

''(24) Columbia Slough watershed, Oregon.'';

(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. 217. 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. 218. 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. 219. 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. 220. 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. 221. 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. 222. 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. 223. JOHN GLENN 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. 224. 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. 225. 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. 226. 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. 227. 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. 228. 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.''.

SEC. 229. ATLANTIC COAST OF NEW YORK.

Section 404(c) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended by inserting after ''1997'' the following: ''and an additional total of $2,500,000 for fiscal years thereafter''.

SEC. 230. ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES FOR CONTAMINATED SEDIMENTS.

Section 8 of the Water Resources Development Act of 1988 (33 U.S.C. 2314) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) ACCELERATED ADOPTION OF INNOVATIVE TECHNOLOGIES FOR MANAGEMENT OF CONTAMINATED SEDIMENTS.—

''(1) TEST PROJECTS.—The Secretary shall approve an appropriate number of projects to test, under actual field conditions, innovative technologies for environmentally sound management of contaminated sediments.

''(2) DEMONSTRATION PROJECTS.—The Secretary may approve an appropriate number of projects to demonstrate innovative technologies that have been pilot tested under paragraph (1).

''(3) CONDUCT OF PROJECTS.—Each pilot project under paragraph (1) and demonstration project under paragraph (2) shall be conducted by a university with proven expertise in the research and development of contaminated sediment treatment technologies and innovative applications using waste materials.''.

SEC. 231. MISSISSIPPI RIVER COMMISSION.

Notwithstanding any other provision of law, a member of the Mississippi River Commission (other than the president of the Commission) shall receive annual pay of $21,500.

SEC. 232. USE OF PRIVATE ENTERPRISES.

(a) INVENTORY AND REVIEW.—The Secretary shall inventory and review all activities of the Corps of Engineers that are not inherently governmental in nature in accordance with the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105–270).

(b) CONSIDERATIONS.—In determining whether to commit to private enterprise the performance of architectural or engineering services (including surveying and mapping services), the Secretary shall take into consideration professional qualifications as well as cost.

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 (11) through (14), 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.

''(10) BRADDOCK BAY, GREECE, NEW YORK.—Project for navigation, Braddock Bay, Greece, New York.''.

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.

Under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), 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.

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 between the programs authorized by paragraph (1)(A) in amounts that are proportionate to the amounts authorized to be appropriated to carry out those programs, respectively.''; 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.

If the Secretary determines that the documentation is integral to the project, the Secretary shall credit against the non-Federal share such costs, not to exceed $1,000,000, as are incurred by the non-Federal interests in preparing the environmental restoration report, planning and design-phase scientific and engineering technical services documentation, and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania.

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. The Secretary shall make such a finding not later than 270 days after the date of enactment of this Act.

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''.

SEC. 330. ANACOSTIA RIVER AQUATIC ECOSYSTEM RESTORATION, DISTRICT OF COLUMBIA AND MARYLAND.

The Secretary may use the balance of funds appropriated for the improvement of the environment as part of the Anacostia River Flood Control and Navigation Project under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) to construct aquatic ecosystem restoration projects in the Anacostia River watershed under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

SEC. 331. 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 ''2003''.

SEC. 332. PINE FLAT DAM, KINGS RIVER, CALIFORNIA.

Under the authority of section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), the Secretary shall carry out a project to construct a turbine bypass at Pine Flat Dam, Kings River, California, in accordance with the Project Modification Report and Environmental Assessment dated September 1996.

SEC. 333. LEVEES IN ELBA AND GENEVA, ALABAMA.

(a) ELBA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Elba, Alabama, at a total cost of $12,900,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

(b) GENEVA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Geneva, Alabama, at a total cost of $16,600,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

SEC. 334. TORONTO LAKE AND EL DORADO LAKE, KANSAS.

(a) IN GENERAL.—The Secretary shall convey to the State of Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the 2 parcels of land described in subsection (b) on which correctional facilities operated by the Kansas Department of Corrections are situated.

(b) LAND DESCRIPTION.—The parcels of land referred to in subsection (a) are—

(1) the parcel located in Butler County, Kansas, adjacent to the El Dorado Lake Project, consisting of approximately 32.98 acres; and

(2) the parcel located in Woodson County, Kansas, adjacent to the Toronto Lake Project, consisting of approximately 51.98 acres.

(c) CONDITIONS.—

(1) USE OF LAND.—A conveyance of a parcel under subsection (a) shall be subject to the condition that all right, title, and interest in and to the parcel conveyed under subsection (a) shall revert to the United States if the parcel is used for a purpose other than that of a correctional facility.

(2) COSTS.—The Secretary may require such additional terms, conditions, reservations, and restrictions in connection with the conveyance as the Secretary determines are necessary to protect the interests of the United States, including a requirement that the State pay all reasonable administrative costs associated with the conveyance.

SEC. 335. SAN JACINTO DISPOSAL AREA, GALVESTON, TEXAS.

Section 108 of the Energy and Water Development Appropriations Act, 1994 (107 Stat. 1320), is amended in the first sentence of subsection (a) and in subsection (b)(1) by striking ''fee simple absolute title'' each place it appears and inserting ''fee simple title to the surface estate (without the right to use the surface of the property for the production of minerals)''.

SEC. 336. ENVIRONMENTAL INFRASTRUCTURE.

Section 219(e)(1) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 337. WATER MONITORING STATION.

Section 584(b) of the Water Resources Development Act of 1996 (110 Stat. 3791) is

amended by striking ''$50,000'' and inserting ''$100,000''.

SEC. 338. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

(a) DEVELOPMENT.—The Secretary shall develop a plan to address water and related land resources problems in the upper Mississippi River basin and the Illinois River basin, extending from Cairo, Illinois, to the headwaters of the Mississippi River, to determine the feasibility of systemic flood damage reduction by means of—

(1) structural and nonstructural flood control and floodplain management strategies;

(2) continued maintenance of the navigation project;

(3) management of bank caving, erosion, watershed nutrients and sediment, habitat, and recreation; and

(4) other related means.

(b) CONTENTS.—The plan shall contain recommendations for—

(1) management plans and actions to be carried out by Federal and non-Federal entities;

(2) construction of a systemic flood control project in accordance with a plan for the upper Mississippi River;

(3) Federal action, where appropriate; and

(4) follow-on studies for problem areas for which data or current technology does not allow immediate solutions.

(c) CONSULTATION AND USE OF EXISTING DATA.—In developing the plan, the Secretary shall—

(1) consult with appropriate State and Federal agencies; and

(2) make maximum use of—

(A) data and programs in existence on the date of enactment of this Act; and

(B) efforts of States and Federal agencies.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes the plan.

SEC. 339. MCNARY LOCK AND DAM, WASHINGTON.

(a) IN GENERAL.—The Secretary may convey to a port district or a port authority—

(1) without the payment of additional consideration, any remaining right, title, and interest of the United States in property acquired for the McNary Lock and Dam, Washington, project and subsequently conveyed to the port district or a port authority under section 108 of the River and Harbor Act of 1960 (33 U.S.C. 578); and

(2) at fair market value, as determined by the Secretary, all right, title, and interest of the United States in such property under the jurisdiction of the Secretary relating to the project as the Secretary considers appropriate.

(b) CONDITIONS, RESERVATIONS, AND RESTRICTIONS.—A conveyance under subsection (a) shall be subject to—

(1) such conditions, reservations, and restrictions as the Secretary determines to be necessary for the development, maintenance, or operation or the project or otherwise in the public interest; and

(2) the payment by the port district or port authority of all administrative costs associated with the conveyance.

SEC. 340. MCNARY NATIONAL WILDLIFE REFUGE.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the McNary National Wildlife Refuge is transferred from the Secretary to the Secretary of the Interior.

(b) LAND EXCHANGE WITH THE PORT OF WALLA WALLA, WASHINGTON.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior may exchange approximately 188 acres of land located south of Highway 12 and comprising a portion of the McNary National Wildlife Refuge for approximately 122 acres of land owned by the Port of Walla Walla, Washington, and located at the confluence of the Snake River and the Columbia River.

(2) TERMS AND CONDITIONS.—The land exchange under paragraph (1) shall be carried out in accordance with such terms and conditions as the Secretary of the Interior determines to be necessary to protect the interests of the United States, including a requirement that the Port pay—

(A) reasonable administrative costs (not to exceed $50,000) associated with the exchange; and

(B) any excess (as determined by the Secretary of the Interior) of the fair market value of the parcel conveyed by the Secretary of the Interior over the fair market value of the parcel conveyed by the Port.

(3) USE OF FUNDS.—The Secretary of the Interior may retain any funds received under paragraph (2)(B) and, without further Act of appropriation, may use the funds to acquire replacement habitat for the Mid-Columbia River National Wildlife Refuge Complex.

(c) MANAGEMENT.—The McNary National Wildlife Refuge and land conveyed by the Port of Walla Walla, Washington, under subsection (b) shall be managed in accordance with applicable laws, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

TITLE IV—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

SEC. 401. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) DEFINITIONS.—Section 601 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–660), is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

''(1) COMMISSION.—The term 'Commission' means the South Dakota Cultural Resources Advisory Commission established by section 605(j).''; and

(3) by inserting after paragraph (2) (as redesignated by paragraph (1)) the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of the Army.''.

(b) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–660), is amended—

(1) in subsection (a)(4)—

(A) in subparagraph (A)(ii), by striking ''803'' and inserting ''603'';

(B) in subparagraph (B)(ii), by striking ''804'' and inserting ''604''; and

(C) in subparagraph (C)—

(i) in clause (i)(II), by striking ''803(d)(3) and 804(d)(3)'' and inserting ''603(d)(3) and 604(d)(3)''; and

(ii) in clause (ii)(II)—

(I) by striking ''803(d)(3)(A)(i)'' and inserting ''603(d)(3)(A)(i)''; and

(II) by striking ''804(d)(3)(A)(i)'' and inserting ''604(d)(3)(A)(i)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''803(d)(3)(A)(iii)'' and inserting ''603(d)(3)(A)(ii)(III)''; and

(B) in paragraph (4)—

(i) in subparagraph (A), by striking ''803(d)(3)(A)(iii)'' and inserting ''603(d)(3)(A)(ii)(III)''; and

(ii) in subparagraph (B), by striking ''804(d)(3)(A)(iii)'' and inserting ''604(d)(3)(A)(ii)(III)''; and

(3) in subsection (c), by striking ''803 and 804'' and inserting ''603 and 604''.

(c) SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.—Section 603 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–663), is amended—

(1) in subsection (c)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.''; and

(2) in subsection (d)—

(A) in paragraph (2), by striking ''802(a)(4)(A)'' and inserting ''602(a)(4)(A)''; and

(B) in paragraph (3)(A)—

(i) in clause (i)—

(I) by striking ''802(a)'' and inserting ''602(a)''; and

(II) by striking ''and'' at the end; and

(ii) in clause (ii)—

(I) in subclause (III), by striking ''802(b)'' and inserting ''602(b)''; and

(II) in subclause (IV)—

(aa) by striking ''802'' and inserting ''602''; and

(bb) by striking ''and'' at the end.

(d) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–664), is amended—

(1) in subsection (c)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.''; and

(2) in subsection (d)—

(A) in paragraph (2), by striking ''802(a)(4)(B)'' and inserting ''602(a)(4)(B)''; and

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''802(a)'' and inserting ''602(a)''; and

(ii) in clause (ii)—

(I) in subclause (III), by striking ''802(b)'' and inserting ''602(b)''; and

(II) in subclause (IV), by striking ''802'' and inserting ''602''.

(e) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–665), is amended—

(1) in subsection (a)(2)(B), by striking ''802'' and inserting ''602'';

(2) in subsection (c), in the mater preceding paragraph (1), by striking ''waters'' and inserting ''facilities'';

(3) in subsection (e)(2), by striking ''803'' and inserting ''603'';

(4) by striking subsection (g) and inserting the following:

''(g) HUNTING AND FISHING.—

''(1) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri

River below the water's edge and outside the exterior boundaries of an Indian reservation in South Dakota.

''(2) JURISDICTION.—

''(A) TRANSFERRED LAND.—On transfer of the land under this section to the State of South Dakota, jurisdiction over the land shall be the same as that over other land owned by the State of South Dakota.

''(B) LAND BETWEEN THE MISSOURI RIVER WATER'S EDGE AND THE LEVEL OF THE EXCLUSIVE FLOOD POOL.—Jurisdiction over land between the Missouri River water's edge and the level of the exclusive flood pool outside Indian reservations in the State of South Dakota shall be the same as that exercised by the State on other land owned by the State, and that jurisdiction shall follow the fluctuations of the water's edge.

''(D) FEDERAL LAND.—Jurisdiction over land and water owned by the Federal government within the boundaries of the State of South Dakota that are not affected by this Act shall remain unchanged.

''(3) EASEMENTS AND ACCESS.—The Secretary shall provide the State of South Dakota with easements and access on land and water below the level of the exclusive flood pool outside Indian reservations in the State of South Dakota for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 887)).''; and

(5) by adding at the end the following:

''(i) IMPACT AID.—The land transferred under subsection (a) shall be deemed to continue to be owned by the United States for purposes of section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702).''

(f) TRANSFER OF CORPS OF ENGINEERS LAND FOR INDIAN TRIBES.—Section 606 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–667), is amended—

(1) in subsection (a)(1), by inserting before the period at the end the following: ''for their use in perpetuity'';

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''waters'' and inserting ''facilities'';

(3) in subsection (f), by striking paragraph (2) and inserting the following:

''(2) HUNTING AND FISHING.—

''(A) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water's edge and within the exterior boundaries of the Cheyenne River Sioux and Lower Brule Sioux Tribe reservations.

''(B) JURISDICTION.—On transfer of the land to the respective tribes under this section, jurisdiction over the land and on land between the water's edge and the level of the exclusive flood pool within the respective Tribe's reservation boundaries shall be the same as that over land held in trust by the Secretary of the Interior on the Cheyenne River Sioux Reservation and the Lower Brule Sioux Reservation, and that jurisdiction shall follow the fluctuations of the water's edge.

''(C) EASEMENTS AND ACCESS.—The Secretary shall provide the Tribes with such easements and access on land and water below the level of the exclusive flood pool inside the respective Indian reservations for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 887)).'';

(4) in subsection (e)(2), by striking ''804'' and inserting ''604''; and

(5) by adding at the end the following:

''(g) EXTERIOR INDIAN RESERVATION BOUNDARIES.—Notheing in this section diminishes, changes, or otherwise affects the exterior boundaries of a reservation of an Indian tribe.''.

(g) ADMINISTRATION.—Section 607(b) of division C of the Omnibus Consolidated and Energy Supplemental Appropriations Act, 1999 (112 Stat. 2681–669), is amended by striking ''land'' and inserting ''property''.

(h) STUDY.—Section 608 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–670), is amended—

(1) in subsection (a)—

(A) by striking ''Not late than 1 year after the date of enactment of this Act, the Secretary'' and inserting ''The Secretary'';

(B) by striking ''to conduct'' and inserting ''to complete, not later than October 31, 1999,''; and

(C) by striking ''805(b) and 806(b)'' and inserting ''605(b) and 606(b)'';

(2) in subsection (b), by striking ''805(b) or 806(b)'' and inserting ''606(b) or 606(b)''; and

(3) by adding at the end the following:

''(c) STATE WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any State.

''(d) INDIAN WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any Indian tribe or tribal nation.''.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 609(a) of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–670), is amended—

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

(2) in paragraph (2)—

(A) by striking ''802(a)'' and inserting ''605(a)''; and

(B) by striking ''803(d)(3) and 804(d)(3).'' and inserting ''603(d)(3) and 604(d)(3); and''; and

(3) by adding at the end the following:

''(3) to fund the annual expenses (not to exceed the Federal cost as of the date of enactment of this Act) of operating recreation areas to be transferred under sections 605(c) and 606(c) or leased by the State of South Dakota or Indian tribes, until such time as the trust funds under sections 603 and 604 are fully capitalized.''.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 800

Mr. ALLARD. Mr. President, I ask unanimous consent that on Wednesday, April 21, at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to consideration of the conference report to accompany the education flexibility bill, H.R. 800. I further ask unanimous consent that the conference report be considered under the following limitations: 3 hours for debate on the conference report, with the time divided as follows: 1 hour each under the control of the chairman and ranking member and Senator WELLSTONE. I further ask that no motions be in order, and that following the expiration of time, the Senate proceed to vote on the adoption of the conference report, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public Law 105–83, the appointment of the Senator from Ohio (Mr. DEWINE) to serve as a member of the National Council on the Arts.

ORDERS FOR WEDNESDAY, APRIL 21, 1999

Mr. ALLARD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10:30 a.m. on Wednesday, April 21. 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 be in a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator GORTON, 15 minutes; Senator WARNER, 15 minutes; Senator GRAHAM, 10 minutes; Senator BINGAMAN, 10 minutes; Senators REID and BOXER, 30 minutes; Senators NICKLES and LINCOLN, 20 minutes; and Senators MCCONNELL and LIEBERMAN, 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. I ask unanimous consent that at 12:30, notwithstanding receipt of the papers, the Senate begin consideration of the education flexibility conference report under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ALLARD. Mr. President, the Senate will convene at 10:30 a.m. and be in a period of morning business until 12:30 p.m. Following morning business, the Senate will begin debate on the conference report to accompany the education flexibility bill. A vote can be expected on that conference report at the conclusion or yielding back of that 3-hour debate time. Also, as a reminder, a cloture motion was filed on the lockbox amendment to S. 557. Therefore, Senators should expect that cloture vote on Thursday. On Wednesday, the Senate may also consider any other legislative or executive items cleared for action.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. ALLARD. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:04 p.m., adjourned until Wednesday, April 21, 1999, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 20, 1999:

DEPARTMENT OF STATE

FRANK ALMAGUER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.

JOHN R. HAMILTON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

DONALD W. KEYSER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR RANK OF AMBASSADOR DURING TENURE OF SERVICE AS SPECIAL REPRESENTATIVE OF THE SECRETARY OF STATE FOR NAGORNO-KARABAKH AND NEW INDEPENDENT STATES REGIONAL CONFLICTS.

IN THE AIR FORCE

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. JAMES V. DUGAR, 0000

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. RONALD J. BATH, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RAYMOND A. ARCHER III, 0000
REAR ADM. (LH) JUSTIN D. MCCARTHY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DAROLD F. BIGGER, 0000
CAPT. FENTON F. PRIEST, III, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) JOHN B. COTTON, 0000
REAR ADM. (LH) VERNON P. HARRISON, 0000
REAR ADM. (LH) ROBERT C. MARLAY, 0000
REAR ADM. (LH) STEVEN R. MORGAN, 0000
REAR ADM. (LH) CLIFFORD J. STUREK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DONALD C. ARTHUR, JR., 0000
CAPT. LINDA J. BIRD, 0000
CAPT. MICHAEL K. LOOSE, 0000
CAPT. RICHARD A. MAYO, 0000
CAPT. JOSEPH P. VANLANDINGHAM, JR., 0000
CAPT. MARK A. YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ROBERT M. CLARK, 0000
CAPT. MARK M. HAZARA, 0000
CAPT. JOHN R. HINES, JR., 0000
CAPT. JAMES MANZELMANN, JR., 0000
CAPT. NOEL G. PRESTON, 0000
CAPT. HOWARD K. UNRUH, JR., 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be lieutenant colonel

JERRY A. COOPER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND APPOINTMENT AS PERMANENT PROFESSOR, UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(B):

To be colonel

THOMAS A. DROHAN, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEPHEN K. SIEGRIST, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN THE JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutentant colonel

DAVID A. MAYFIELD, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

JOHN D. KNOX, 0000
DAVID M. SHUBLAK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624, 628, AND 3064:

To be lieutenant general

FRANCISCO J. DOMINGUEZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, 624, 628, AND 3064:

To be major

JAPHET C. RIVERA, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROY T. MC CUTCHEON III, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KENNETH C. COOPER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

FRANCIS X. BERGMEISTER, 0000
KENNETH L. BOLES, 0000
WARREN E. FOX, 0000
WILLIAM B. HANKINS, III, 0000
KENNETH P. MYERS, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MELVIN D. NEWMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SCOTT R. HENDREN, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

HARVEY J. U. ADAMS, JR., 0000
KEVIN K. ADAMS, 0000
JOSEPH R. AGOSTINELLI, 0000
VINCENT L. ALBERT, 0000
DEAN S. ALLRED, 0000
DOUGLAS W. ANDERSON, 0000
LAURENS R. ANDREWS III, 0000
WILLIAM F. ANDREWS, 0000
CONSTANTINE A. ANNINOS, 0000
ALEXANDER J. ARNISTA, 0000
DAVID ATZHORN, 0000
PAUL J. AVELLA, 0000
JOHN W. AYERS, 0000
CHARLES BAILEY, 0000
MICHAEL T. BAKER, 0000
VIRGINIA E. BAKER, 0000
GEORGE W. BALLINGER, JR., 0000
JASON B. BARLOW, 0000
DAVID K. BARRETT, 0000
DEBRA L. BATES, 0000
JAMES D. BAUGHMAN, 0000
MICHAEL N. BEARD, 0000
KEITH R. BELL, 0000
DENNIS E. BELLAMY, 0000
JAMES R. BIERNESSER, 0000
BRIAN T. BISHOP, 0000
GREGORY H. BISHOP, 0000
BENNETT M. BITLER, 0000
WILLIAM E. BLOCKER, 0000
EDMUND S. BLOOM, 0000
PATRICIA S. BOGGS, 0000
EDWARD L. BOLTON, JR., 0000
MARK E. BONTRAGER, 0000
SCOTT K. BORGES, 0000
CHARLES D. BOWKER, 0000
DAVID S. BRACKETT, 0000
RAY T. BRADLEY, 0000
FRANK H. BRADY, 0000
SHEILA B. BROCKI, 0000
LESLIE W. BROCKMAN, 0000
BRUCE K. BROOKS, 0000
JAMES J. BROOKS, 0000
GREGORY M. BROWN, 0000
JOSEPH D. BROWN IV, 0000
LARRY S. BROWN, 0000
TIMOTHY M. BROWN, 0000
DAVID E. BROYLES, 0000
A. ROBERT BRUNO, 0000
JEFFREY BUCKMELTER, 0000
ALBERT F. BURNETT, 0000
PAUL J. BURNETT, 0000
ANDREW E. BUSCH, 0000
BRUCE A. BUSLER, 0000
JOHN E. BUTCHER, 0000
TIMOTHY A. BYERS, 0000
BARBARA S. CAIN, 0000
JAMES E. CALHOUN II, 0000
RICHARD A. CALTABELLOTTA, 0000
ARTHUR B. CAMERON III, 0000
DONALD E. CAMPBELL, 0000
TED R. CAMPBELL, 0000
STEVEN A CANTRELL, 0000
ELIZABETH A. CARGO, 0000
MICHAEL R. CARPENTER, 0000
MICHAEL A. CATLIN, 0000
SUE T. CAUDILL, 0000
SYER S. CAUDILL, JR., 0000
JAMES C. CHAMBERLAIN, 0000
MICHAEL P. CHAPIN, 0000
LESLIE L. CHAPMAN, 0000
TINA M. CHESTER, 0000
STEPHEN P. CHILDERS, 0000
ROBERT A. CIOLA, 0000
GEORGE P. CLARK, 0000
JAMES P. CLYBURN, 0000
GREGORY S. COALE, 0000
ALFRED M. COFFMAN, JR., 0000
CORILLA D. COLLINS, 0000
ANDREW COLON, 0000
KATHLEEN M. CONLEY, 0000
EDWARD CONNOLLY, 0000
ARRISI MARY COOPER, 0000
THOMAS P. CORBETT, 0000
JERRY T. CORLEY, 0000
RICKY J. COSBY, 0000
ROBERT T. COSTELLO, 0000
PAUL W. COUTEE, 0000
WILLIAM C. COUTTS, 0000
JAMES H. COX, JR., 0000
WILSON D. CRAFTON, JR., 0000
NATHANIEL CRAWFORD, JR., 0000
PATRICIA M. D. CREWS, 0000
RONALD S. CROOKS, 0000
BRUCE W. CROWNOVER, 0000
BRUCE L. CURRY, 0000
KEVIN E. CURRY, 0000
JEFFREY H. CURTIS, 0000
PAUL S. CURTIS, 0000
STEVEN W. DALBEY, 0000
JOHN D. DALY, 0000
DENNIS L. DANGELO, 0000
DANIEL C. DAUBACH, 0000
MICHAEL DAVID, 0000
PAUL A. DAVIDSON, 0000
HARRY J. DAVIS II, 0000
JAMES S. DAY, 0000
JOHN W. DAY, 0000
FRANK M. DEARMOND, 0000
THURMON L. DELONEY II, 0000
SUSAN Y. DESJARDINS, 0000
DAVID L. DINNING, 0000
KURT B. DITTMER, 0000
JEFFREY C. DODSON, 0000
GRAY R. DONNALLEY, 0000
JAMES M. DOODY, 0000
GEORGE T. DORAN, 0000
STANLEY J. DOUGHERTY, 0000
JAMES W. DOWIS, 0000
JOSEPH M. DROBEZKO, 0000
MICHAEL DROZ, 0000
ROGER H. DUCEY III, 0000
GEORGE J. DUDA, JR., 0000
RICHARD A. DUGAN, 0000
JOHNNY H. EDWARDS, 0000
JAMES M. ENGLAND, 0000
ALAN T. EVANS, 0000
GERALD B. EVANS, 0000
SAMUEL W. FANCHER, 0000
BARBARA J. FAULKENBERRY, 0000
EDWARD J. FELKER, 0000
KIRK A. FERRELL, 0000
CLIFFORD C. FETTER, 0000
GEORGANNE FICKLIN, 0000
BURTON M. FIELD, 0000
GREGORY D. FLIERL, 0000
WILLIAM R. FLOYD, 0000
HERBERT L. FORET, JR., 0000
JOHN D. FOUSER, 0000
DAVID R. FRANCIS, 0000
GEORGE R. GAGNON, 0000
ROBERT GARCIA, 0000
MICHAEL C. GARDINER, 0000
ROBERT W. GARDNER, 0000
ELIJAH GARRETT, 0000
TOMMY L. GARRETT, 0000
MARIO A. GARZA, 0000
LORENE T. GASTON, 0000
ROBERT D. GAUDETTE, 0000
REBECCA J. GENTRY, 0000
CHARLES W. GILL, JR., 0000
DENNIS L. GITT, 0000
CLARENCE E. GLAUSIER III, 0000
DOUGLAS J. GOEBEL, 0000
DAVID J. GOOSSENS, 0000
ROBERT O. GRAY, 0000
WILLIAM G. GREGORY, 0000
GREGORY L. GROSS, 0000
RANDY L. GROSS, 0000
DWAYNE L. HAFER, 0000
MICHAEL P. HAINSEY, 0000
GARY L. HALBERT, 0000
CHARLES A. HALE, 0000
JON T. HALL, 0000
WAYNE F. HALLGREN, 0000
ANTHONY L.H. HANEY, 0000
BOICE M. HARDY, 0000
DAVID D. HARRELL, 0000
DAVID M. HARRIS, 0000
RONALD E. HARVEY, 0000
JOSEPH L. HEIMANN, 0000
BRADLEY A. HEITHOLD, 0000
SUSAN J. HELMS, 0000
FRANCIS L. HENDRICKS, 0000
JOHN H. HERD, 0000
DARRELL L. HERRIGES, 0000
MARVIN T. HERSHEY, 0000
MARY K. HERTOG, 0000
WILLIAM N. HERZOG, JR., 0000
DALE A. HESS, 0000
JOHN W. HESTERMAN III, 0000
DALE J. HEWITT, 0000
WILLIAM N. HIGGINBOTHAM, 0000
MICHAEL S. HILL, 0000
CHARLES F. HISER, 0000
CRAIG H. HOLLENBECK, 0000
ROBERT H. HOLMES, 0000
WILLIAM N. HOLWAY, 0000
TIMOTHY B. HOPPER, 0000
RODNEY A. HOTTLE, 0000
STANLEY DOYLE HOWARD, 0000
RICHARD C. HOWELL, 0000
JOHN W. HUGHES, 0000
MICHAEL J. HUHN, 0000
BOBBY LEE HUNT, 0000
EDWARD E. HUNT III, 0000
RICHARD M. HUTCHINS, 0000
THOMAS J. INSKEEP, 0000
BARBARA JACOBI, 0000
LEROY F. JACOBS III, 0000
MIROSLAV JENCIK, 0000
DAVID W. JENSEN, 0000
JAMES A. JIMENEZ, 0000
CREID K. JOHNSON, 0000
KEITH E. JOHNSON, 0000
ATHENA R. JONES, 0000
VIKTOR I. JONKOFF, 0000
RONALD J. JUHL, 0000
JOHN E. JULSONNET, 0000
ROBERT C. KANE, 0000
NEIL K. KANNO, 0000
JUDITH F. KAUTZ, 0000
MARTHA J.M. KELLEY, 0000
VIRGINIA S. KELLY, 0000
LAURA S. KENNEDY, 0000
RONALD C. KENNEDY, 0000
PATRICIA F. KERSEY, 0000
DONALD T. KIDD, 0000
STEVEN B. KING, 0000
JOHANN R. KINSEY, 0000
DAVID A. KOPANSKI, 0000
DAVID J. KRAMER, 0000
MARGARET E. KRAMER, 0000
STANLEY T. KRESGE, 0000
CHRISTOPHER J. KRISINGER, 0000
SUSAN P. KUEHL, 0000
JAMES W. LAMB, 0000
NED J. LAVIOLETTE, JR, 0000
RICHARD R. LAW, 0000
DAVID J. LAWTON, 0000

ANNE D. LEARY, 0000
MICHAEL F. LEHNERTZ, 0000
MICHAEL J. LEPPER, 0000
RAYMOND J. LEURCK, 0000
RALPH T. LEWKOWICZ, 0000
BRIAN D. LIKENS, 0000
BRUCE A. LITCHFIELD, 0000
BRIAN W. LITTLE, 0000
DENNIS R. LITTRELL, 0000
DAVID A. LITTS, 0000
CHRISTOPHER P. LIVINGSTON, 0000
MICHAEL A. LONGORIA, 0000
WAYNE E. LOUIS, 0000
RICHARD J. LUCAS, 0000
RAYMOND L. LYNN, 0000
JAMES D. LYON, 0000
JOHNNIE R. MADISON, 0000
MICHAEL J. MAFFEI, 0000
GREGORY J. MALINSKY, 0000
TIMOTHY G. MALONE, 0000
JOEL D. MARTIN, 0000
TIMOTHY C. MARTIN, 0000
RICHARD G. MATTHEWS, 0000
ELVIN E. MAXWELL, JR., 0000
NORMAN B. MC ALPIN, 0000
THOMAS A. MC CARTHY, 0000
BRIAN D. MC CARTY, 0000
DOUGLAS D. MC COY, JR., 0000
DANIEL A. MC CUSKER, 0000
DARREN W. MC DEW, 0000
ALEXANDER M. MC DOWELL, 0000
DAVID W. MC FADDIN, 0000
DANIEL A. MC FADGEN, 0000
CHARLES H. MC GUIRK, JR., 0000
COLTON MC KETHAN, 0000
SANFORD MC LAURIN, JR., 0000
WILLIAM P. MC NALLY, 0000
KENNETH P. MENZIE, 0000
RAYMOND D. MICHAEL, JR., 0000
RICHARD P. MIHALIK, 0000
BRIAN L. MILLER, 0000
JOHN W. MILLER, 0000
BRYON M. MILLS, 0000
DONALD K. MINNER, 0000
JANICE L. MITCHELL, 0000
DENNIS R. MITZEL, 0000
LON W. MOLNAR, 0000
BILLY W. MONTGOMERY, 0000
CLYDE D. MOORE II, 0000
JEFFREY A. MOORE, 0000
DARRELL D. MORTON, 0000
OSWALDO Y. MULLINS, 0000
MICHAEL J. MUOLO, 0000
RICHARD D. MURRAY, JR., 0000
TERRON W. NELSEN, 0000
JAMES R. NELSON, 0000
MARTIN NEUBAUER, 0000
MICHAEL R. NEWBERRY, 0000
ROBERT MICHAEL NEWTON, 0000
JOSEPH B. NIEMEYER, 0000
ROSEMARY NORMAN, 0000
DOUG D. NOWAK, 0000
MICHAEL J. NOWAK, 0000
JEFFREY J. OLINGER, 0000
PETER M. O'NEILL, 0000
PETER O. OPHEIM, 0000
ROBERT P. OTTO, 0000
MICHAEL E. OUTTEN, 0000
MARK H. OWEN, 0000
DOUGLAS H. OWENS, 0000
MICHAEL A. PACHUTA, 0000
JEFFREY B. PADDOCK, 0000
DALE I. PANGMAN, 0000
STEVEN PENNINGTON, 0000
STEVEN PETERSEN, 0000
RICHARD A. PHILLIPS, 0000
DONALD C. PIPP, 0000
ERNEST H. PLOTT, JR., 0000
FRANK PLUM III, 0000
DENNIS C. PORTER, 0000
JOHN D. POSNER, 0000
JAMES O. POSS, 0000
MICHAEL J. POSVAR, 0000
BRADLEY R. PRAY, 0000
JOHN I. PRAY, JR., 0000
TERREL S. PRESTON, 0000
GARY G. PRESUHN, 0000
CHRISTINE D. PREWITT, 0000
CRAIG J. PRIEBE, 0000
RICHARD E. PRINS, 0000
DAVID M. PRONCHICK, 0000
RORY A. QUESINBERRY, 0000
MICHAEL A. RAMPINO, 0000
MARK F. RAMSAY, 0000
FREDERICK R. RAUCH II, 0000
ERIC A. REFFETT, 0000
JAMES E. RENNIE, 0000
DAVID M. RHODES, 0000
PATRICK P. RHODES, 0000
STEPHEN RIBUFFO, 0000
CARDELL K. RICHARDSON, 0000
DONALD R. RICHARDSON, JR., 0000
RUSSELL G. RICHARDSON, 0000
SUSAN E. RICHARDSON, 0000
RONALD E. RICHBURG, 0000
PAUL G. RIDER, 0000
DAVID M. RIESTER, 0000
BRIAN C. ROGERS, 0000
MICHAEL R. ROGERS, 0000
MARK K. ROLAND, 0000
LAWRENCE L. ROLFS, 0000
JOHN K. ROLL, 0000
MICHAEL S. ROLLER, 0000
SEBASTIAN V. ROMANO, 0000
DONNA M. RONCARTI, 0000
JEANNE M. RUETH, 0000
DOUGLAS B. SALMON, 0000
JOHN S. SANDERS, 0000
JAY G. SANTEE, 0000
JOHN M. SANTIAGO, 0000
ROBERT R. SARNOSKI, 0000
WILLIAM R. SAUNDERS, 0000
GERALD J. SAWYER, 0000
MARK O. SCHISSLER, 0000
DAVID C. SCHRECK, 0000
JAMES C. SEAT, 0000
MICHAEL D. SELVA, 0000
ROBERT E. SERVANT, 0000
MAX D. SHAEVITZ, 0000
LARRY D. SHAFER, 0000
STEVEN M. SHAFFER, 0000
ANNA M. SHAKLEE, 0000
CHARLES B. SHERBURNE, JR., 0000
KATHERINE A. SHINDEL, 0000
DUNCAN H. SHOWERS, 0000
DALE G. SHRADER, 0000
CHARLES K. SHUGG, 0000
RICHARD A. SIEBERT, 0000
ROY Y. SIKES, 0000
DANA A. SIMMONS, 0000
DANIEL R. SIMMONS, 0000
BARRY L. SIMON, 0000
LARRY SIMPSON, 0000
DAVID L. SIMS, 0000
WILMA F. SLADE, 0000
ANNE H. SMITH, 0000
ROBERT B. SMITH, 0000
STEPHEN G. SMITH, 0000
ALAN J. SNYDER, 0000
JAMES E. SOLINSKI, 0000
JOSE P. SOSA, 0000
PAUL J. SPARKMAN, 0000
ROBIN A. SQUATRITO, 0000
MICHAEL A. STANLEY, 0000
JAMES P. STANTON, 0000
CHARLES W. STATON, 0000
THOMAS M. STEDMAN, JR., 0000
ROBERT B. STEPHAN, 0000
KENNETH E. STOKES, 0000
RICHARD A. STRATHEARN, 0000
MICHAEL C. STROUSE, 0000
RUPERT K. STRUM, 0000
BRUCE W. SUDDUTH, 0000
PETER L. TARTER, 0000
ANDREW P. TAWNEY, 0000
THOMAS H. THACKER, 0000
RANDALL J. THADY, 0000
JEFFREY E. THIERET, 0000
DAVID E. THOMPSON, 0000
WALTER J. TOMCZAK, 0000
CHARLES L. TURBE, 0000
WILLIAM W. UHLE, JR., 0000
PAUL VALOVCIN, 0000
MARINUS G. VANDESTEEG, 0000
DONNA J. VANHOOSE, 0000
BRIAN R. VANSICKLE, 0000
KENNETH P. VANSICKLE, JR., 0000
JAMIE G.G. VARNI, 0000
ROBERT J. VAUGHN, 0000
SUZANNE M. VAUTRINOT, 0000
JON D. VERLINDE, 0000
LYNNE E. VERMILLION, 0000
RANDY P. VIEIRA, 0000
TIMOTHY B. VIGIL, 0000
RICKI VILLALOBOS, 0000
ROGER L. VIROST, 0000
ALAN L. VOGEL, 0000
KARL R. VONKESSEL, 0000
ARTHUR L. WACHDORF, 0000
STEVEN J. WAGONER, 0000
WILLIAM C. WALKER, 0000
EILEEN M. WALLING, 0000
PHILIP F. WARING, 0000
LAUREL A. WARISH, 0000
DAVID B. WARNER, 0000
DARTANIAN WARR, 0000
JOHN E. WATKINS, 0000
RONALD L. WATKINS, 0000
ERIC E. WEISS, 0000
WILLIAM C. WELLMAN, 0000
B. DAWN W. WHEELER, 0000
CARL A. WHICKER, 0000
EUGENE B. WHITAKER, 0000
PAUL K. WHITE, 0000
JAMES H. WILKINSON, 0000
KENT D. WILLIAMS, 0000
MICHAEL D. WILLIAMS, 0000
RAE A. WILLIAMS, 0000
STEPHEN P. WILLIAMS, 0000
LARRY D. WILSON, 0000
VINCENT P. WISNIEWSKI, 0000
STEPHEN L. WOLBORSKY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RONALD G. ADAMS, 0000
BARRY P. ALLEN, 0000
JOHN M. ALLEN, 0000
SANDRA L. ALLENBAUGH, 0000
MATTHEW T. ANDERSON, 0000
PETER T. ANDRES, 0000
CALVIN A. ANDREWS, 0000
JERRY L. BABLER, 0000
GREGORY M. BAKER, 0000
JOHN J. BAKER, 0000
N. BENJAMIN BARNEA, 0000
DONALD E. BAYLES, 0000
WILFRIED N. BECKMANN, 0000
MARK E. BEEHNER, 0000
GERALD S. BEILSTEIN, 0000
NORMAN S. BELL, JR., 0000
ROBERT A. BERSAK, 0000
BEVERLEY A. BEST, 0000
DEBORAH N. BIELANSKI, 0000
RICHARD G. BIONDI, 0000
WILLIAM H. BOBBITT III, 0000
BENJE H. BOEDEKER, 0000
RICHARD W. BOERSMA, 0000
GAYLE I. BOWEN, 0000
FOSTER S. BOYD, 0000
JOHN L. BOZARTH, 0000
BRUCE M. BRIDEWELL, 0000
SCOTT H. BROWN, 0000
GEORGE D. BURGESS, 0000
KAREN L. BURKE, 0000
THOMAS W. BUSH, 0000
RAYMOND M. BUTLER, 0000
ELLEN J. CALLE, 0000
SHIRLEY B. CAMERON, 0000
DOROTHY K. CANNON, 0000
RICKY E. CARTER, 0000
FRANK J. CASSERINO, 0000
LARRY H. CHASTEEN, 0000
JAMES L. CLEMENT, JR., 0000
RONALD R. COFFEY, 0000
ROBERT D. COFFMAN, JR., 0000
JENNIFER L. COLES, 0000
LLYLE R. CONNER, 0000
GARY L. COOK, 0000
LAWRENCE CREMO, 0000
WILLIAM J. CURRY, 0000
THOMAS X. DAMICO, 0000
RONALD E. DELGIZZI, 0000
THOMAS E. DENESIA, 0000
LOUISE M. DEWILDER, 0000
SUE A. DONAHEY, 0000
DAVID E. DOYLE, 0000
MICHAEL C. DUDZIK, 0000
JOHN M. DUMOULIN, 0000
GEORGE A. EBERT, 0000
RICHARD R. ECKERT, 0000
MICHAEL L. ELLENBERGER, 0000
ROGER W. ELLIS, 0000
DAVID O. EVANS, 0000
FAITH H. FADOK, 0000
ELIZABETH M. FAGAN, 0000
BARBARA E. FAMULARO, 0000
CATHERINE T. FANT, 0000
WALLACE W. FARRIS, JR., 0000
TERRENCE J. FINNEGAN, 0000
JAMES T. FITZGERALD, 0000
STEPHEN T. FOSTER, 0000
MICHAEL H. FOX, 0000
GEORGE R. FREEMAN, 0000
CHUCK R. FRIESENHAHN, 0000
KAREN L. FUSTO, 0000
RICHARD A. GANO, 0000
ALBERT J. GERATHY, JR., 0000
WILLIAM M. GILBIRDS II, 0000
WILLIAM S. GOODHAND III, 0000
WALTER H. GOURGUES II, 0000
SUSAN S. GRANT, 0000
ALVA D. GREENUP, 0000
PAUL R. GROSKREUTZ, 0000
STEPHEN P. GROSS, 0000
ANNE F. HAMILTON, 0000
DENNIS L. HAMMERMASTER, 0000
NINA L. HANSEN, 0000
MARY K. HANSON, 0000
PATRICIA A. HARRIS, 0000
DANIEL P. WOODWARD, 0000
CURTIS A. WRIGHT, 0000
DAVID A. WRIGHT, 0000
ROBERT R. YAUCH, 0000
THOMAS D. YOUNG, 0000
EDWARD G. ZAKRZEWSKI, 0000
DAVID J. ZUPI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY IN THE NURSE CORPS (AN), MEDICAL SERVICE CORPS (MS), MEDICAL CORPS (MC), DENTAL CORPS (DE), MEDICAL SPECIALIST CORPS (SP), AND JUDGE ADVOCATE GENERAL'S CORPS (JA) UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

JOSEPH I. SMITH, 0000

To be lieutenant colonel

SUSAN A. ANNICELLI, 0000
GARY L. BREWER, 0000
LOUIS J. DELDO, 0000
CHARLES T. GORIE, 0000
STEVEN G. LANG, 0000
MURIEL D. METCALF, 0000
JANET A. NEUTZE, 0000
STEVEN E. REISSMAN, 0000
ROBERT D. ROCK, 0000
PAUL S. RUBLE, 0000
JOHN F. UPHOFF, 0000

To be major

HEATHER W. HANSEN, 0000
ANGELENE HEMINGWAY, 0000
OMAR D. HOTTENSTEIN, 0000
JUNG S. KIM, 0000
ARTHUR W. LOESEVITZ, 0000
WILLIAM G. MARZULLO, 0000
MICHAEL D. MATTHEWS, 0000
SCOTT J. MC ATEE, 0000
ROBERT C. PUGH, 0000
LOUIS H. SMITH, 0000
KEITH J. WROBLEWSKI, 0000

To be captain

PHILIP A. ALBANEZE, 0000
TIMOTHY J. BIEGA, 0000
DUSTIN L. BOYER, 0000
ALLYSON G. CARR, 0000
MICKEY S. CHO, 0000
DAVID W. COFFIN, 0000
PATRICK B. COOPER, 0000
PERCIVAL L. CUETO, 0000
HEATHER L. CURRIER, 0000
TAMARA L. DU, 0000
THOMAS G. ECCLES, 0000
MICHELLE K. ERVIN, 0000
ERIC P. FILLMAN, 0000
ANDREW J. FOSTER, 0000
BEAU GARDNER, 0000
PETER C. GRAFF, 0000
JILL C. HASLING, 0000
JAMES R. HEMPEL, 0000
PATRICK W. HICKEY, 0000
JASON M. HILES, 0000
DEAN H. HOMMER, 0000
CHRISTOPHER HUTSON, 0000
MATTHEW R. JEZIOR, 0000
DALE N. JOHNSON, 0000
DANIEL G. JORDAN, 0000
PATRICIA A. KEEFE, 0000
DWIGHT C. KELLICUT, 0000
GLENN J. KERR, 0000
CATHERINE KIMBALL, 0000
GREGORY D. KOSTUR, 0000
KENNETH D. KUHN, 0000
KEVIN J. LEARY, 0000
DEREK LINKLATER, 0000
PHILIP LITTLEFIELD, 0000
RICHARD C. LIU, 0000
ELIZABETH M. LORE, 0000
HUY Q. LUU, 0000
TRACEY F. LYON, 0000
ROBERT L. MABRY, 0000
PAMELA M. MALLARI, 0000
LISA M. MAXWELL, 0000
PATRICIA A. MC KAY, 0000
MARY S. MC NERNEY, 0000
ROBERT MEADOWS, 0000
JEFFREY MIKITA, 0000
CHRISTOPHER MOON, 0000
ELAINE M. MUNITZ, 0000
CECILIA M. PADLAN, 0000
BEN K. PHILLIPS, 0000
PATRICK J. POLLOCK, 0000
BRIAN D. ROBERTSON, 0000
IRENE M. ROSEN, 0000
SAMARA A. RUTBERG, 0000
RUBEN SALINAS, 0000
MALCOLM G. SCHAEFER, 0000
THOMAS R. SERRANO, 0000
MARK F. SEWELL, 0000
JOHN A. SMYRSKI, 0000
CHRISTINE E. STAHL, 0000
BRYONY W. TOM, 0000
DANIEL S. WASHBURN, 0000
WILLIAM B. WEISS, 0000
JOHN L. WESTHOFF, 0000
SUNNY Y. WHITEMAN, 0000
BRADLEY N. YOUGGREN, 0000
OMAYA H. YOUSSEF, 0000
SARA J. ZIMMER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SETH D. AINSPAC, 0000
VICTOR E. AMBROSE, 0000
JAMES H. ANDERSON II, 0000
LARRY D. ANDERSON, 0000
MICHAEL S. ANDERSON, 0000
MATTHEW J. ANS, 0000
ALAN J. ARCENEAUX, 0000
ANTHONY C. ARCHER, 0000
TRAY J. ARDESE, 0000
DAVID N. AREOLA, 0000
GLINDON ASHBROOK, JR., 0000
JON M. AYTES, 0000
EDWARD S. BACON, 0000
JAMES E. BAILEY III, 0000
ROBERT A. BAIRD, 0000
JOHN G. BAKER, 0000
JAVIER J. BALL, 0000
AHMAD BANDANI, 0000
STEPHEN G. BANTA, 0000
ARTHUR G. RATKEWICZ, 0000
DONALD D. REEVES, 0000
JAMES D. RENDLEMAN, 0000
MARILYN K. RHODES, 0000
DALE S. RHOTEHAMEL, 0000
DAVID A. RICHARDS, 0000
ROBIN M. ROGERS, 0000
JEFFREY N. RUBIN, 0000
RICHARD G. RUTH, 0000
ELIZABETH A. RYAN, 0000
PAUL L. SAMPSON, 0000
DENNIS K. SAVAGE, 0000
THOMAS J. SAWEY, 0000
LUCINDA A. SCHEIB, 0000
STEVEN M. SCHLASNER, 0000
ROBERT W. SCHOENFELD, 0000
JAMES M. SCHUMAN, 0000
DOUGLAS G. SCHWAAB, 0000
CATHERINE L. SCOTT, 0000
MARY A. SEIBEL, 0000
HAROON A. SHAIKH, 0000
DOUGLAS H. SHANNON, 0000
ROBERT G. SHAW, 0000
ROBERT G. SHONDEL, 0000
ROBERT C. SINGLER, 0000
PAUL L. SKAGGS, 0000
BOBBY LEE SMITH, 0000
CLIFFORD D. SMITH II, 0000
JAMES B. SMITH, 0000
ELIZABETH SODBINOW, 0000
JOHN J. THRASHER III, 0000
ANDREW W. TICE, JR., 0000
ROBERT M. TILTON, 0000
STEPHEN W. TOPPER, 0000
JANET G. TUCKER, 0000
KAGGAL V. UMAKANTHA, 0000
WILLIAM K. UNDERWOOD, 0000
CHARLES J. UNICE III, 0000
LUIS A. VAZQUEZ, 0000
JOHN S. VENTO, 0000
RICHARD P. VOLDEN, 0000
DANIEL J. WALKER IV, 0000
THOMAS I. WASHINGTON, 0000
CURTIS E. WATKINS, 0000
JON R. WESTERGAARD, 0000
JOHN C. WHITCHURCH, 0000
STEVEN K. WHITE, 0000
GAYLE C. WIGGINS, 0000
JOAN C. WINTERS, 0000
JOAN K. WOTRING, 0000
DENNIS O. WRETLIND, 0000
C. FAYLENE WRIGHT, 0000
VINCENT U. YAP, 0000
THOMAS D. YATES, 0000
GERALD L. YEARSLEY, 0000
GREGORY J. ZAGAR, 0000
ADELLE R. ZAVADA, 0000
WALTER H. ZIMMER, 0000
DEBORAH L. HART, 0000
ROBERT S. HART, 0000
HETZAL HARTLEY, 0000
BETTY J. HAYWOOD, 0000
KEVIN F. HENABRAY, 0000
MICHAEL HENRY, 0000
SHARON L. HICK, 0000
JEANETTE A. HIGGINS, 0000
MICHAEL T. HIGGINSON, 0000
JAMES D. HITE, 0000
STEVEN W. HOAGLAND, 0000
WERNER E. HOLT, 0000
JOHN M. HOWLETT, 0000
PAUL F. HUMEL, 0000
ALAN R. JACKSON, 0000
NORVAL O. JACKSON, 0000
VIRGINIA R. JOHNSON, 0000
RICHARD E. KARULF, 0000
MICHAEL K. KAWAHARA, 0000
FORREST G. KEATON, 0000
JAMES L. KERR, 0000
RITA A. KERRICK, 0000
TOSCA E. KINCHELOWSCHMIDT, 0000
WILLIAM J. KINDRED, 0000
KAREN D. KOHLHAAS, 0000
HARVEY A. KORNSTEIN, 0000
DIETER KRECKEL, 0000
JOHN A. KREMER II, 0000
BRUCE F. KROEHL, 0000
FREDERICK B. KUHLMAN, JR., 0000
STEPHEN R. LADD, 0000
RONALD R. LAWRENCE, 0000
WAYNE T. LEMOI, 0000
LINDA L. LEWIS, 0000
THADDEUS A. LIVINGSTON, 0000
SUSAN M. LOCKE, 0000
JAMES R. LONG, JR., 0000
LYNN I. LONG, 0000
GREGORY K. LOVE, 0000
JOHN P. LUTZ, 0000
JOHN A. LYLES, 0000
JACK B. LYNN, 0000
THEODORE I. MACEY, 0000
FRANCIS S. MACK, 0000
ROCCO J. MAFFEI, JR., 0000
MANOHAR R. MANCHANDIA, 0000
DENNIS J. MANNING, 0000
NONA I. MAPES, 0000
DAVID E. MARKWALDER, 0000
DANA S. MARSH, 0000
BARBARA A. MARTIN, 0000
TIMOTHY W. MARTIN, 0000
DANIEL G. MAZZA, 0000
RANDOLPH J. MC CLURE, 0000
MARGARET A. MC GREGOR, 0000
JAMES S. MC INTYRE, 0000
PAUL E. MC KAY, 0000
MICHAEL L. MC KIM, 0000
JOHN G. MENTAVLOS, 0000
LEON A. MILLER, 0000
LINDA E. MILLER, 0000
MILTON J. P. MILLER, 0000
NANCY E. MISEL, 0000
JOSEPH F. MOLINARI, 0000
PAULA A. MONDLOH, 0000
JUAN MONTOYA, 0000
THOMAS E. MORRILL, 0000
ROBERT J. MORRISON II, 0000
GARY L. NAPIER, 0000
MOHAMMED A. NAYEEM, 0000
LEWIS D. NEACE, 0000
MICHAEL B. NEWTON, 0000
MICHAEL B. NOWLIN, 0000
SAMUEL F. OGLESBY, 0000
STEVEN K. OHERN, 0000
DANIEL E. OPP, 0000
LOUANNE G. PAGE, 0000
HARRY A. PAPE, 0000
ROGER S. PARSONS, 0000
BARBARA L. PASIERB, 0000
DONALD E. PAYNTER, 0000
BARBARA M. PETERSON, 0000
BEVERLY A. P. POINTER, 0000
JANE E. PROFITT, 0000
GORDON H. QUANBECK, 0000
BEN Q. RAGSAC, 0000
JACK W. RAMSAUR II, 0000
NASIRUDDIN RANA, 0000
JAMES E. RANDBY, 0000

JAY M. BARGERON, 0000
STEPHEN J. BASEL, 0000
CHRISTOPHER P. BAUSCH, 0000
THOMAS H. BECK, 0000
PAUL M. BECKWITH, 0000
CLANTON D. BEETH, 0000
BRETT M. BEKKEN, 0000
SCOTT F. BENEDICT, 0000
MICHAEL L. BENNETT, 0000
ROBERT E. BENSON, 0000
MICHAEL C. BERIGAN, 0000
INMAN R. BESSENGER, 0000
WILLIE J. BEST, 0000
RICHARD T. BEW, 0000
CHRISTOPHER S. BEY, 0000
ANTHONY J. BIANCA, 0000
JAMES M. BLACKBURN, 0000
EDWARD W. BLIGH, 0000
DAVID L. BLOOM, 0000
CARY M. BOARD, 0000
MICHAEL C. BOGNA, 0000
JASON Q. BOHM, 0000
BRANTLEY A. BOND, 0000
LLOYD E. BONZO II, 0000
GERALD F. BOOS, JR., 0000
ALLEN C. BOOTHBY, JR., 0000
ARTHUR W. BORNSCHEIN, JR., 0000
ROBERT V. BOUCHER, 0000
JOHN R. BOWEN, 0000
WILLIAM J. BOWERS, 0000
TIMOTHY BRADLEY, 0000
CHAD M. BREEDEN, 0000
RANDOLPH R. BRESNIK, 0000
ANDREW E. BRIDGES, 0000
JAMES B. BRITTON, JR., 0000
JOHN F. BRIX III, 0000
ANTHONY W. BROOKS, 0000
STEPHEN E. BROOKS, 0000
LEX A. BROWN, 0000
RICKY F. BROWN, 0000
THOMAS A. BRUNO, 0000
DANIEL S. BRYAN, 0000
MARK V. BUDDE, 0000
WILLIAM T. BUFKIN II, 0000
CHARLES G. BURKE, JR., 0000
THOMAS M. BURNS, 0000
JOSEPH L. BURROUGHS II, 0000
GLEN G. BUTLER, 0000
PATRICK C. BYRON, 0000
JAMES C. CALEY, 0000
TIMOTHY S. CALLAHAN, 0000
JOHN R. CALVERT, JR., 0000
AARON P. CAMELE, 0000
JOHN H. CANE, 0000
JOHN W. CAPDEPON, 0000
KENNETH K. CARPENTER, 0000
DONALD J. CARRIER, 0000
PATRICK J. CARROLL, 0000
MICHAEL D. CARSTEN, 0000
DAVID P. CASEY, 0000
TIMOTHY M. CASSIDY, 0000
JOHN A. CAVAZOS, 0000
MICHAEL S. CEDERHOLM, 0000
JUSTICE M. CHAMBERS III, 0000
PAIGE L. CHANDLER, 0000
KEITH M. CHIRICO, 0000
JAMES D. CHRISTMAS, 0000
MICHAEL A. CLARK, 0000
VINCENT E. CLARK, 0000
BENJAMIN R. CLATTERBUCK, 0000
GERARD P. CLOUTIER, 0000
NEAL S. COBLE, 0000
MICHAEL J. COCO, 0000
PHILLIP A. COLBORN, 0000
BRIAN H. COLLINS, 0000
MATTHEW A. COLLINS, 0000
RANDALL J. COLSON, 0000
THOMAS M. CONNER, 0000
THOMAS G. CONNOR III, 0000
MATTHEW W. COON, 0000
MATTHEW H. COOPER, 0000
ROGER L. CORDELL, 0000
ROBERT P. COTE, 0000
KEVIN M. COUGHLIN, 0000
ROBERT C. COURTEMANCHE, 0000
JOSEPH A. CRAFT, 0000
THOMAS M. CRAIG, 0000
FRANCISCO B. CRISAFULLI, 0000
MICHAEL T. CUCCIO, 0000
ANGEL A. CUELLAR, JR., 0000
STEVEN M. CUNNINGHAM, 0000
ROBERT D. CURTIS, 0000
KEITH M. CUTLER, 0000
BRUCE A. CZAJA, II, 0000
MARC E. CZAJA, 0000
THOMAS C. DAMES, 0000
PAUL E. DAMPHOUSSE, 0000
DALE S. DANIEL, 0000
PATRICK J. DARCY, 0000
EVAN W. DAVIES, 0000
JAMES D. DAVIS, 0000
RICHARD G. DEGUZMAN, 0000
ROY H. DELANEY, 0000
JOHN B. DELUCA, 0000
TODD S. DESGROSSEILLIERS, 0000
EDWARD M. DEVILLIERS, 0000
EDWARD T. DEWALD, 0000
DANIEL J. DEWHIRST, 0000
THOMAS P. DEWYEA, 0000
MICHAEL B. DICKEY, 0000
BRIAN T. DOLAN, 0000
DAVID J. DOWLING, 0000
DAN E. DOWSE, 0000
DOUGLAS A. DREW, 0000
LOREN J. DUGAN, 0000
ROBERT M. DUKES, 0000
TERENCE J. DUNNE, 0000
KYLE D. EAST, 0000
DEAN A. EBERT, 0000
RICHARD A. ECKLES, II, 0000
MARK M. EDINGTON, 0000
CHARLES E. EHLERT, 0000
TODD J. ENGE, 0000
BRIAN E. ENGEL, 0000
BARRY L. ENSTICE, 0000
DAVID J. ESKELUND, 0000
ROBB P. ETNYRE, 0000
FRED T. FAGAN III, 0000
JOHN P. FARNAM, 0000
CHRISTOPHER L. FATHEREE, 0000
ANTHONY D. FAUST, 0000
DOUGLAS I. FEIRING, 0000
ANTHONY A. FERENCE, 0000
MICHAEL G. FERGUSON, 0000
MATTHEW D. FERINGA, 0000
GEOFFREY H. FIELD, 0000
CHERYL L. FITZGERALD, 0000
JOHN S. FITZPATRICK, 0000
PATRICK S. FLANERY, 0000
JAMES G. FLYNN, 0000
LYLE E. FORCUM, 0000
ALLEN S. FORD, 0000
ROBERT B. FORD, 0000
ALAN D. FOUST, 0000
TIMOTHY C. FRANTZ, 0000
JAMES W. FUHS, 0000
GARY R. FULLERTON, 0000
MATTHEW K. GALLAGHER, 0000
PATRICK K. GALLAHER, 0000
MICHAEL J. GANN II, 0000
MICHAEL GANTE, JR., 0000
JAVIER GARCIA, 0000
RUSSELL A. GARDNER, 0000
PETER J. GARFIELD, 0000
JAMES M. GARRETT III, 0000
ERIC B. GARRETTY, 0000
DAVID E. GAUL, 0000
KENNETH D. GEORGI, 0000
STEVEN G. GERACOULIS, 0000
BRADFORD J. GERING, 0000
HAROLD K. GIBSON, 0000
SEAN D. GIBSON, 0000
EDWARD GILLCRIST, 0000
GREGORY G. GILLETTE, 0000
JOHN R. GILTZ, 0000
KYLE A. GLERUM, 0000
JAMES F. GLYNN, 0000
SAUL GODINEZ, 0000
JOHN C. GOLDEN IV, 0000
ROBERTO J. GOMEZ, 0000
KEVIN M. GONZALEZ, 0000
JEFFERY O. GOODES, 0000
MICHAEL J. GORMAN, 0000
MICHAEL J. GOUGH, 0000
JOHN M. GRAHAM, 0000
VERNON L. GRAHAM, 0000
STEVEN J. GRASS, 0000
CHARLES S. GRAY, 0000
JAMES A. GRAY, 0000
CHRISTOPHER M. GREER, 0000
DUDLEY R. GRIGGS, 0000
WILLIAM C. GRIGONIS, 0000
MARK A. GRILLO, 0000
SCOTT R. GROSENHEIDER, 0000
STEPHEN P. GRUBBS, 0000
JIMMIE G. GRUNY, 0000
FRANCIS A. GRZYMKOWSKI, JR., 0000
GLENN R. GUENTHER, 0000
ROBERT M. HAGAN, 0000
CHARLES C. HALE, 0000
MORRIS D. HALE, 0000
BRINLEY M. HALL III, 0000
STEPHEN W. HALL, 0000
DARIUS J. HAMMAC, 0000
JAMES B. HANLON, 0000
PATRICIA M. HANNIGAN, 0000
BRIAN D. HARRELSON, 0000
RICHARD J. HARRIES III, 0000
WAYNE C. HARRISON, 0000
PAUL W. HART II, 0000
SETH A. HATHAWAY, 0000
KENT W. HAYES, 0000
CASON N. HEARD, 0000
GREGORY M. HEINES, 0000
JOHN M. HEISEY, 0000
SCOTT H. HENDERSON, 0000
ROD M. HENDRICK, 0000
ROBERT H. HENDRICKS, 0000
PATRICK L. HERNANDEZ, 0000
DAVID P. HERONEMUS, 0000
JAMES B. HIGGINS, JR., 0000
JAMES D. HILL, 0000
JONATHAN W. HITESMAN, 0000
MICHAEL B. HOBBS, 0000
THOMAS M. HOBBS, 0000
HUNTER H. HOBSON, 0000
JAMES L. HOGAN, 0000
JOHN R. HOLLANDER, 0000
RICHARD A. HOLLEN, JR., 0000
ADAM P. HOLMES, 0000
JANICE E. HOLMES, 0000
TODD D. HOOK, 0000
GRAHAM C. HOPPESS, 0000
JOSEPH K. HOTTENDORF, 0000
EDWARD A. HOWELL, 0000
MARC L. HUCKABONE, 0000
MICHAEL W. HUFF, 0000
CRAIG W. HUNGERFORD, 0000
JEFFREY L. HUNT, 0000
ALBERT B. INTILLI, 0000
DANIEL C. IRCINK, 0000
JAMES E. IZEN, 0000
SAMUEL E. JACKSON, 0000
JON M. JACOBS, 0000
WILLIAM D. JARRETT, 0000
JAMES T. JENKINS II, 0000
SCOTT S. JENSEN, 0000
MARK A. JEWELL, 0000
DIETER G. JOBE, 0000
BRIAN J. JOHNSON, 0000
MATTHEW L. JONES, 0000
ROBERT W. JONES, 0000
RONALD F. JONES, 0000
TIMOTHY D. JONES, 0000
JOHN O. JORDAN, 0000
STEVEN P. KAEGEBEIN, 0000
DANIEL R. KAISER, 0000
BRIAN J. KAPPLE, 0000
CHRISTOPHER A. KEANE, 0000
JANET L. KEECH, 0000
GREGORY C. KEESLER, 0000
RANDALL J. KEHRMEYER, 0000
GARY F. KEIM, 0000
SCOTT A. KEMP, 0000
KURT A. KEMPSTER, 0000
GREGG R. KENDRICK, 0000
BRIAN M. KENNEDY, 0000
JAMES R. KENNEDY, 0000
THOMAS M. KEOGH, 0000
SEAN A. KERR, 0000
CRAIG T. KILLIAN, 0000
ANDREW N. KILLION, 0000
WILLIAM E. KIRALY, 0000
STEVEN C. KISH, 0000
LORNE KITTLE, 0000
ERIC R. KLEIS, 0000
DOUGLAS C. KLEMM, 0000
NICHOLAS L. KNIGHT, 0000
KURT A. KOCH, 0000
ROBERT J. KOCHANSKI, 0000
JEFFREY S. KOJAC, 0000
ANDREW J. KOSTIC JR., 0000
LORRIE B. KOVACS, 0000
ERIK B. KRAFT, 0000
DAVID P. KRAMER, 0000
DAVID A. KREBS, 0000
ROBERT A. KREKEL, 0000
ROBERT W. KRIEG, 0000
THOMAS M. KRUGLER, 0000
DALE R. KRUSE, 0000
RUDY R. KUBE, 0000
BRIAN E. KUHN, 0000
DOUGLAS J. KUMBALEK, 0000
MARK C. KUSTRA, 0000
CRAIG P. LAMBERT, 0000
WILLIAM B. LAMBERT, 0000
GEORGE LAMPKIN JR., 0000
DAVID W. LANCASTER, 0000
JOHN R. LANGFORD, 0000
DANIEL T. LATHROP, 0000
MICHAEL E. LATHROP, 0000
WALTER E. LAVRINOVICH JR., 0000
JOSEPH L. LAYKO, 0000
ANDRE H. LEBLANC, 0000
MICHAEL H. LEDBETTER, 0000
PAUL J. LEEDS, 0000
BRUCE W. LEFAN, 0000
ROBERT M. LEIBE, 0000
JAMES E. LEIGHTY, 0000
RICHARD E. LEINO, 0000
BRYAN R. LEMONS, 0000
GERRY W. LEONARD JR., 0000
MATTHEW P. LEVASSEUR, 0000
KENNETH M. LEWTON, 0000
WILLIAM R. LIEBLEIN, 0000
FLORIAN F. LIMJOCO JR., 0000
SALVADOR L. LIMON III, 0000
STEPHEN E. LISZEWSKI, 0000
JOHN A. LITTLE, 0000
BRIAN B. LIZOTTE, 0000
STEVEN P. LOGAN, 0000
JAMES V. LONGI III, 0000
RICHARD E. LOUCKS, 0000
WILLIAM S. LUCAS, 0000
ROBERT E. LUCIUS JR., 0000
DAVID S. LUCKEY, 0000
MICHAEL X. LUCKEY, 0000
FRANK E. LUGO JR., 0000
PHILLIP T. LUPER, 0000
SCOTT A. LUTTERBECK, 0000
ARTHUR R. LYMAN, IV, 0000
MICHAEL W. LYNCH, 0000
REX D. LYNNE, 0000
TODD W. LYONS, 0000
WALLACE P. MACK, IV, 0000
WILLIAM J. MACKEY, 0000
JOHN C. MADSEN, 0000
SCOTT D. MAGIDSON, 0000
SAMUEL A. MAGLIANO, 0000
BRIAN L. MAGNUSON, 0000
MICHAEL W. MALEC, 0000
ROBERT L. MANION, 0000
ANTHONY J. MANUEL, 0000
HECTOR E. MARCAYDA, 0000
THOMAS F. MARCINKIEWICZ, 0000
NICHOLAS W. MARINO, 0000
CRAIG H. MARTELLE, 0000
GREGORY R. MARTIN, 0000
JOSEPH A. MATOS, 0000
DENISE A. MATTES, 0000
WILLIAM B. MAYBERRY, JR., 0000
DOUGLAS S. MAYER, 0000
BRENDAN B. MC BREEN,0000
DAVID B. MC CANN, 0000
CHRISTOPHER M. MC CARTHY, 0000
CHRISTINA D. MC CLOSKEY, 0000
DEBORAH M. MC CONNELL, 0000
PAUL H. MC CONNELL, 0000
DAVID G. MC CORD, 0000
MICHAEL T. MC DONNELL, 0000
ROGER J. MC FADDEN, 0000
MICHAEL C. MC GHEE, 0000
JOHN G. MC GINNIS, 0000
MICHAEL T. MC GUINNESS, 0000
ARTHUR B. MC KEEL, 0000
FRANK N. MC KENZIE, 0000
JOHN G. MC KNIGHT, 0000
MATTHEW P. MC LUCKIE, 0000
DONALD B. MC NEILL, JR., 0000
FLOYD M. MEANS, JR., 0000
JOHN P. MEE, 0000
ANDRE L. MERCIER, 0000
JOHN E. MERNA, 0000
RANDALL H. MESSER, 0000
ANDREW R. MILBURN, 0000
JAMES L. MILLER, 0000
JEFFREY W. MILLER, 0000
LAWRENCE F. MILLER, 0000
DON A. MILLS, 0000
KEVIN S. MINTON, 0000
LEON D. MOBERG, 0000
CHARLES A. MOCK, 0000
THOMAS B. MOCKBEE, 0000
SCARLET A. MONROE, 0000
WILLIAM J. MONROE, 0000
PAUL D. MONTANUS, 0000
DAVID C. MOOREFIELD, 0000
ANTONIO J. MORABITO, 0000
PATRICK E. MORAN, 0000
DAVID B. MORGAN, 0000
DAN E. MORRIS, 0000
JAMES M. MORRISROE, 0000
CHRISTOPHER W. MORTON, 0000
WILLIAM E. MOYER, 0000
JOHN A. MULLIN, 0000
MARK A. MURPHY, 0000
STEPHEN J. MURPHY, 0000
CHRISTOPHER L. NALER, 0000
ROBERT J. NASH, 0000
NATHAN I. NASTASE, 0000
LAWRENCE A. NATHAN, 0000
KEVIN G. NAVE, 0000
DWIGHT C. NEELEY, 0000
RICHARD J. NEFF, 0000
RONALD D. NEFF, 0000
CHAD R. NELSON, 0000
KENNETH A. NELSON, 0000
MARK W. NELSON, 0000
THOMAS J. NEMETH III, 0000
JOHN J. NEYLON, 0000
TIMOTHY W. NICHOLS, 0000
KYLE J. NICKEL, 0000
JOHN J. NOEL, 0000
RAYMOND T. NOLIN, 0000
BRENT R. NORQUIST, 0000
SEAN P. O'DOHERTY, 0000
HARRY D. OAKLEY, 0000
DANIEL E. O'DONNELL, JR., 0000
DANIEL P. O'HORA, 0000
BRIAN P. O'KEEFE, 0000
DAVID S. OLIVER, 0000
TIMOTHY J. OLIVER, 0000
MICHAEL S. O'NEAL, 0000
RENE A. ORELLANA, 0000
DANIEL R. OSKAR, 0000
RICHARD T. OSTERMEYER, 0000
JOHN A. OSTROWSKI, 0000
TIMOTHY R. O'TOOLE, 0000
DAVID M. OWEN, 0000
SCOTT E. PACKARD, 0000
CHRISTOPHER L. PAGE, 0000
ROBERT Y. PARK, 0000
TIMOTHY M. PARKER, 0000
CHRISTOPHER J. PARKHURST, 0000
PATRICK C. PATTERSON, 0000
MATTHEW J. PAUL, 0000
RICHARD W. PAULY, 0000
STEPHEN C. PELLEGRINO, 0000
ISAAC PELT, 0000
MYLES F. PEMBER IV, 0000
CRAIG B. PENROSE, 0000
ALEX G. PETERSON, 0000
PAUL T. PETIT III, 0000
AUSTIN L. PETWAY, 0000
MICHAEL R. PFISTER, 0000
RICHARD L. PHILLIPS II, 0000
MICHAEL D. PIA, 0000
GRAHAM C. PIERSON, 0000
VON H. PIGG, 0000
STEVEN F. PITINGOLD, 0000
JASON K. POPE, 0000
JAMES A. POPIELEC, 0000
PETER L. POPPE, 0000
DUNCAN C. PORTER, 0000
DAVE S. PORTILLO, 0000
THOMAS E. POST, 0000
ALBERT C. POTRAZ, JR., 0000
AARON F. POTTER, 0000
GEORGE E. PRATT, JR., 0000
PAUL J. PRATT, 0000
ROBERT F. PREMO, 0000
LESTER B. PRICE, 0000
WILLIS E. PRICE III, 0000
THOMAS E. PRIEST, 0000
STEPHEN W. PRIMM, 0000
DAVID R. PRISLIN, 0000
FRANK R. PROKUP, 0000
TRAVIS M. PROVOST, 0000
FRANKLIN L. PUGH, JR., 0000
STEVEN P. QUINTANA, 0000
MARK A. RAMIREZ, 0000
GERALD S. RATLIFF, 0000
ROBERT L. RAUENHORST, 0000
WILLIAM M. REDMAN, 0000
JOHN M. REED, 0000
JEAN D. REESE, 0000
JOHN C. REEVE, 0000
WADE M. REINTHALER, 0000
KEITH D. REVENTLOW, 0000
WILLIAM H. REYNOLDS, 0000
JAY N. RICE, 0000
WILLIAM D. RICE, 0000
ERROL L. RICHARDS, 0000
DEREK G. RICHARDSON, 0000
JAMES C. RIGGS, 0000
DONALD J. RILEY, JR., 0000
THOMAS J. RIORDAN, 0000
GLENN R. RITCHIE, 0000
JIMMY R. RIVERA, 0000
DOMINIC E. ROBERTS, 0000
STEPHEN C. ROBERTS, 0000
MACON R. ROBINSON, JR., 0000
MICHAEL D. ROBINSON, 0000
DANIEL J. RODMAN, 0000
ALEJANDRO RODRIGUEZ, 0000
JUSTIN C. RODRIGUEZ, 0000
MICHAEL J. RODRIGUEZ, 0000
GLENN A. ROGERS, 0000
EDWARD H. ROMASKO, 0000
SAMUEL L. RUBLE, 0000
THEODORE RUBSAMEN III, 0000
WILLIAM L. RUMBLE, 0000
JOHN F. RUOCCO, 0000
HOWARD D. RUSSELL, 0000
CHARLES A. RUST, 0000
KEITH E. RUTKOWSKI, 0000
JEFFREY A. RUTLEDGE, 0000
PAUL P. RYAN, 0000
WILLIAM J. RYSANEK IV, 0000
JON M. SABLAN, 0000
JONATHAN L. SACHAR, 0000
MARK S. SANCHEZ, 0000
DAVID L. SANFORD, 0000
JOHN M. SAPPENFIELD, 0000
BRICE D. SAYER, 0000
CHAD L. SBRAGIA, 0000
CHRISTOPHER A. SCHAEFER, 0000
THOMAS A. SCHELLIN, 0000
BRADLEY R. SCHIEFERDECKER, 0000
JOEL T. SCHIRO, 0000
PATRICK C. SCHMID, 0000
STEVEN J. SCHMID, 0000
KEVIN M. SCHMIEGEL, 0000
GRANT W. SCHNEEMANN, 0000
MARK G. SCHRECKER, 0000
MARTIN P. SCHUBERT, 0000
NEIL SCHUEHLE, 0000
HARVEY T. SCHWARTZ, 0000
STEPHEN S. SCHWARZ, 0000
ROBERT R. SCOTT, 0000
WALTER J. SCOTT, 0000
DONALD A. SCRIBNER, 0000
SUSAN B. SEAMAN, 0000
WILLIAM H. SEELY III, 0000
JOHN J. SHARKEY, JR., 0000
CAROL S. SHAW, 0000
KEVIN M. SHEA, 0000
RICHARD F. SHEEHAN, JR., 0000
JON W. SHELBURNE, 0000
JONATHAN H. SHERRELL, 0000
ROBERT C. SHERRILL, 0000
MICHAEL D. SHOUP, 0000
QUINN R. SIEVERTS, 0000
PHILLIP E. SIMMONS, 0000
STEVEN A. SIMMONS, 0000
STEPHEN A. SIMPSON, 0000
GREGG SKINNER, 0000
GEORGE J. SLYER III, 0000
DANIEL L. SMITH, 0000
JOSEPH S. SMITH, JR., 0000
JULIA A. SMITH, 0000
THOMAS J. SOBEY, 0000
ROBERT B. SOFGE, JR., 0000
JOHN C. SPAHR, 0000
JOSEPH P. SPATARO, 0000
NICHOLAS A. SPIGNESI, 0000
CLAUDE A. STALLWORTH, 0000
JOHN A. STANTON, 0000
PAUL L. STARITA, 0000
MATTHEW G. ST. CLAIR, 0000
MARCUS S. STEFANOU, 0000
MICHAEL S. STEGELMAN, 0000
ANDREW V. STICH, 0000
BRADLEY R. STILLABOWER, 0000
KRIS J. STILLINGS, 0000
JAMES B. STOPA, 0000
JAY P. STORMS, 0000
VICTOR S. STOVER, 0000
JEFFREY D. STREY, 0000
MIKEL E. STROUD, 0000
THEODORE M. STRYCHARZ, 0000
STEVEN R. SVENDSEN, 0000
DOUGLAS J. SWEITZER, 0000
DOUGLAS K. SWITZER, 0000
TRACY L. SWOPE, 0000
MARK S. SZARMACH, 0000
ROBERT L. TANZOLA III, 0000
CHRISTOPHER D. TAYLOR, 0000
TODD S. TAYLOR, 0000
MICHAEL D. TENCATE, 0000
DANIEL J. TENYENHUIS, 0000
CHARLES C. TERRASSE, 0000
ADAM C. THARP, 0000
DOUGLAS B. THIRY, 0000
JEFFREY A. THIRY, 0000
DANIEL T. THOELE, 0000
DAVID S. THORN, 0000
PAUL R. THORNTON III, 0000
WILLIAM R. TIBBS, 0000
CHRISTOPHER E. TIERNAN, 0000
MATTHEW E. TOLLIVER, 0000
MICHAEL P. TRAHAR, 0000
THAD R. TRAPP, 0000
CASEY C. TRAVERS, 0000
TERENCE D. TRENCHARD, 0000
KARL R. TRENKER, 0000
ROBERT M. TROUTMAN, 0000
JOEL B. TURK, 0000
ROGER B. TURNER, JR., 0000
RICK A. URIBE, 0000
JAY A. VANDERWERFF, 0000
DAVID N. VANDIVORT, 0000
HAROLD R. VANOPDORP, JR., 0000
WILLIAM P. VANZWOLL, 0000
JOHN C. VARA, 0000
CHRISTIAN H. VEERIS, 0000
MICHAEL T. VESELY, 0000
MICHAEL R. VILLANDRE, 0000
JOHN D. VOELKER, 0000
PAUL W. VOSS, 0000
JOSEPH F. WADE, 0000
WILLIAM L. WADE, 0000
BRETT A. WADSWORTH, 0000
THOMAS A. WAGONER, JR., 0000
RANDY G. WALKER, 0000
MARK F. WALKNER, 0000
PATRICK L. WALL, 0000
MARK M. WALTER, 0000
PAUL J. WARE, 0000
JAMES S. WASHBURN, 0000

JEFF G. WEBB, 0000
MARC A. WEBSTER, 0000
ROBERT B. WEHNER, 0000
ANNE M. WEINBERG, 0000
DOUGLAS S. WEINMANN, 0000
CLIFFORD J. WEINSTEIN, 0000
ERIC S. WEISSBERGER, 0000
FRANK E. WENDLING, 0000
STEPHEN T. WERNECKE, 0000
DAVID S. WEST 0000
JERRY J. WEST, II, 0000
CHARLES A. WESTERN, 0000
DARRIN L. WHALEY, 0000
STEVEN L. WHALEY, 0000
BRIAN H. WIKTOREK, 0000
ROBERT A. WILKERSON, 0000
HERMAN L. WILKES, JR., 0000
CHRISTOPHER W. WILLIAMS, 0000
GLENN S. WILLIAMS, 0000
CURTIS L. WILLIAMSON III, 0000
STEVEN L. WILSON, 0000
SCOTT R. WILTERMOOD, 0000
TIMOTHY E. WINAND, 0000
ANTHONY A. WINICKI, 0000
LEE J. WINTERS, 0000
DANIEL S. WISNIEWSKI, 0000
KEVIN J. WOLFE, 0000
THOMAS A. WOLLARD, 0000
MICHAEL A. WOOD, 0000
KENNETH M. WOODARD, 0000
JONATHAN A. WOODCOCK, 0000
PHILLIP R. WOODLEY, 0000
JEFFREY K. WOODS, 0000
BRUCE D. YOUNGBLUTH, 0000
BRIAN J. ZACHERL, 0000
EDMOND P. ZAIDE, JR., 0000
ERIN L. ZELLERS, 0000
JAMES B. ZIENTEK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROBERT S. ABBOTT, 0000
TIMOTHY C. ABE, 0000
THOMAS C. ABEL, 0000
ROSS A. ADELMAN, 0000
AARON E. ALDRIDGE, 0000
TERESA J. AMBERG, 0000
CURTIS S. AMES, 0000
KENNETH W. AMIDON, 0000
THOMAS J. ANDERSON, 0000
WILLIAM M. ANDERSON, 0000
ROGER D. ANGEL, 0000
ANTHONY ARDOVINO, 0000
CHESTER A. ARNOLD, 0000
JORGE ASCUNCE, 0000
CYNTHIA M. ATKINS, 0000
VICTOR F. BALASI, 0000
DAVID W. BANKS, 0000
KIRK T. BARLEY, 0000
LOREN D. BARNEY, 0000
JORGE L. BARRERA, 0000
ERIC D. BARTCH, 0000
GARY S. BARTHEL, 0000
DANIEL C. BATT, 0000
JAMES S. BEATON, 0000
BRIAN D. BEAUDREAULT, 0000
THOMAS T. BECK, 0000
JOHN W. BEISWANGER, 0000
JOSEPH R. BERNARD, JR., 0000
JOHN C. BERRY, JR., 0000
LEROY L. BLAHNA, 0000
FRANCIS J BLANKEMEYER, JR., 0000
DAVID BLASKO, 0000
JEFFERY A. BOWDEN, 0000
CHARLES P. BRADY, 0000
FRANCIS X. BRADY, 0000
GARETH F. BRANDL, 0000
CHARLES E. BRIDGEMAN, 0000
GREGG W. BRINEGAR, 0000
GEORGE H. BRISTOL, 0000
JOHN J. BROADMEADOW, 0000
HERMAN C. BROADSTONE, 0000
KENNETH M. BROWN, 0000
ROBERT Q. BRUGGEMAN, 0000
DONOVAN E. BRYAN, 0000
MARK H. BRYANT, 0000
JAMES J. BUCKLEY, 0000
JOHN F. BUFORD, 0000
JOHN W. BULLARD, JR., 0000
TONY L. BUMGARNER, 0000
GERALD F. BURKE, 0000
JOHN M. BURT, 0000
MICHAEL K BUTTERS, 0000
ANTHONY J. CACCIATORE, 0000
ROBERT G CAHILL, 0000
JAMES A. CAMERON, 0000
MICHAEL F. CAMPBELL, 0000
JOHN M. CARRETTI, 0000
MICHAEL A. CHENGERI, 0000
HERMAN S. CLARDY, III, 0000
EDWARD M. CLARKSON, II, 0000
ROBERT E. CLAY, 0000
ROBERT E. CLAYPOOL, 0000
CHRISTOPHER M. CLAYTON, 0000
JAMES D. CLEMMER, 0000
ANGELA B. CLINGMAN, 0000
DAVID L. CLOSE, 0000
TIMOTHY L. CLUBB, 0000
VINCENT A. COGLIANESE, 0000
RONALD J. COLYER, 0000
CHRISTOPHER C. CONLIN, 0000
WILLIAM J. COOPER, 0000
WILLIAM J. COVER, IV, 0000
MARK J. CRAIG, 0000
LEWIS A. CRAPAROTTA, 0000
ROBERT M. CRAWFORD, 0000
MICHAEL L. CROUCH, 0000
ENRIQUE E. CRUZ, 0000
VINCE E. CRUZ, 0000
DANIEL E. CULBERT, 0000
STEVEN R. CUSUMANO, 0000
MARK J. CWICK, 0000
SCOTT A. DALKE, 0000
MARK A. DALLABETTA, 0000
TIMOTHY R. DALLY, 0000
THOMAS P. DALY, JR., 0000
PAUL L. DAMREN, 0000
KEITH W. DANEL, 0000
PAUL A. DANTONIO, 0000
RICHARD K DAVIDSON, 0000
WILLIAM D. DELANO, 0000
JOHN A. DELCOLLIANO, 0000
GARY M. DENNING, 0000
TIMOTHY J. DEVIN, 0000
THEODORE E. DEVLIN, 0000
DENNIS R. DICKENSON, 0000
WILLIAM N. DICKERSON, 0000
ROBERT L. DIXON, JR., 0000
JAMES M. DOCHERTY, 0000
PAUL B. DUNAHOE, 0000
DONALD M. ELLIOTT, 0000
THOMAS L. ENTERLINE, 0000
KENNETH D. ENZOR, 0000
MARK W. ERB, 0000
JOHN R. EWERS, JR., 0000
KENNETH W. FANCHER, 0000
WILLIAM M. FAULKNER, 0000
JOHN H. FEAIRHELLER, JR., 0000
JON L. FEINBERG, 0000
ROBERT N. FERRER, JR., 0000
VINCENT M. FIAMMETTA, 0000
STEPHEN P. FINN, 0000
WILLIAM J. FLANNERY, 0000
RICHARD P. FLATAU, JR., 0000
CLARK R. FLEMING, 0000
BRIAN S. FLETCHER, 0000
DANIEL F. FOLEY, 0000
KEVIN L. FOLEY, 0000
MICHAEL J. FOLEY, 0000
MARK D. FRANKLIN, 0000
CHARLES R. FRAWLEY, 0000
CLYDE FRAZIER, JR., 0000
FRANK FREE, III, 0000
ROBERT K. FRICKE, 0000
LARRY FULWILER, 0000
DENNIS E. FUNDERBURKE, 0000
KENT A. GALVIN, 0000
LINDA M. GANDEE, 0000
G G. GARFIELD, 0000
THOMAS M. GASKILL, 0000
ROBERT D. GATTUSO, 0000
PHILIP D. GENTILE, 0000
WILLIAM GILLESPIE, 0000
THOMAS N. GOBEN, 0000
JOHN L. GODBY, 0000
ROBERT B. GORSKI, 0000
JAMES D. GRACE, 0000
DONALD A. GRACZYK, 0000
GARY S. GRAHAM, 0000
FREDERIC J. GREENWOOD, 0000
PAUL E. GREENWOOD, 0000
RAYBURN G. GRIFFITH, 0000
STEVEN M. GROZINSKI, 0000
PAUL M. GUERRA, 0000
MURRAY T. GUPTILL, JR., 0000
JOHN W. GUTHRIE, 0000
DENNIS M. GUZIK, 0000
MICHAEL S. HAAS, 0000
EDWARD G. HACKETT, 0000
CHRISTOPHER S. HADINGER, 0000
DAVID M. HAGOPIAN, 0000
DANIEL C. HAHNE, 0000
PATRICK M. HAINES, 0000
DAVID B. HALL, 0000
NICHOLAS J. HALL, 0000
WADE C. HALL, 0000
LLOYD J. HAMASHIN, JR., 0000
BEN D. HANCOCK, 0000
STEVEN M. HANSCOM, 0000
DARREN L. HARGIS, 0000
NATHANIEL HARLEY, JR., 0000
THOMAS G. HARMS, 0000
STUART C. HARRIS, 0000
JOSEPH M. HARRISON, 0000
CARL E. HASELDEN, JR., 0000
GREGORY L. HAUCK, 0000
GREGORY E. HAUSER, 0000
ROBERT F. HEDELUND, 0000
ROBERT S. HELLMAN, 0000
TIMOTHY A. HERNDON, 0000
STEVEN J. HERTIG, 0000
MARY L. HOCHSTETLER, 0000
MARC L. HOHLE, 0000
CHRISTOPHER E. HOLZWORTH, 0000
JAMES D. HOOKS, 0000
DALE E. HOUCK, 0000
BRUCE M. HOUSER, 0000
ROBERT E. HUGHES, 0000
JONATHAN P. HULL, 0000
MICHAEL P. HULL, 0000
KIRK W. HYMES, 0000
ALVAH E. INGERSOLL, III, 0000
LESLIE N. JANZEN, 0000
ANDREW F. JENSEN, III, 0000
CHESTER E. JOLLEY, 0000
JOHN J. KANE, III, 0000
MARK B. KANE, 0000
PAUL A. KARAFA, 0000
THOMAS J. KEATING, 0000
DOUGLAS E. KEELER, 0000
FRANCIS L. KELLEY, 0000
DAVID KELLY, 0000
JOHN C. KENNEDY, 0000
SCOTT E. KERCHNER, 0000
DAVID J. KESTNER, 0000
PHILIP H KING, 0000
NICHOLAS B. KLAUS, 0000
ANTHONY E. KOLKMEYER, 0000
DANIEL J. KRALL, 0000
JAMES T. KUHN, 0000
MARGARET A. KUHN, 0000
MICHAEL J. LAMBIASE, 0000
WILLIAM S. LANG, 0000
ROBERT W. LANHAM, 0000
RAYMOND S. LASHIER, 0000
MALCOLM B. LEMAY, 0000
GEORGE A. LEMBRICK, 0000
DAVID R. LEPPELMEIER, 0000
GROVER C. LEWIS III, 0000
WILLIAM K. LIETZAU, 0000
JAMES D. LINGAR, 0000
KENNETH X. LISSNER, 0000
EDWARD A. LOGUE, 0000
CARL W. MAC DONALD, 0000
ROBERT B. MAC TOUGH, JR., 0000
MYRON J. MAHER, JR., 0000
MARK M. MALONEY, 0000
MARCUS G. MANNELLA, 0000
STEPHEN D. MARCHIORO, 0000
ROBERT W. MARSHALL, 0000
GREGORY T. MASCK, 0000
MICHAEL J. MASON, 0000
HENRY B. MATHEWS II, 0000
MICHAEL J. MATRONI, 0000
JOSEPH A. MAUNEY, JR., 0000
JOYCE L. MC CALLISTER, 0000
KEVIN T. MC CUTCHEON, 0000
EDWARD R. MC DANIEL, 0000
DANIEL J. MC GEE, 0000
ROBERT M. MC GUINESS, 0000
JAMES W. MC KELLAR, 0000
DAVID R. MC KINLEY, 0000
WILLIAM P. MC LAUGHLIN, 0000
RICHARD C. MC MONAGLE, 0000
GUY D. MEDOR, 0000
MICHAEL R. MELILLO, 0000
WILLIAM G. MELTON, 0000
STEVEN D. MIEIR, 0000
BRETT A. MILLER, 0000
JAMES B. MILLER, 0000
FRANK H. MINER III, 0000
ROGER D. MITCHELL, 0000
WILLIAM P. MIZERAK, 0000
JOHN P. MONAHAN, JR., 0000
BENJAMIN W. MOODY, 0000
ROYAL P. MORTENSON, 0000
MICHAEL J. MULLIGAN, 0000
SCOTT C. MYKLEBY, 0000
PETER T. NICHOLSON, 0000
PATRICK D. NOONAN, 0000
MATTHEW G. OCHS, 0000
THOMAS R. O'CONNELL, 0000
MICHAEL J. OEHL, 0000
MICHAEL A. O'HALLORAN, 0000
CHARLES D. O'HERN II, 0000
JOHN H. OHEY, 0000
HARRY G. OLDLAND III, 0000
PAUL J. O'LEARY, JR., 0000
THOMAS J. O'LEARY, 0000
MICHAEL W. OPPLIGER, 0000
JUSTIN B. ORABONA, 0000
CHRISTOPHER S. OWENS, 0000
CARL T. PARKER, 0000
RICHARD S. PARKER, JR., 0000
TED A. PARKS, 0000
RICHARD M. PARSONS, 0000
JOEL E. PAULSEN, 0000
PATRICK S. PENN, 0000
MARK E. PETERS, 0000
JEFFERY M. PETERSON, 0000
ROBERT E. PINDER, 0000
LAWRENCE A. PLATT, JR., 0000
MICHAEL J. POPOVICH, 0000
MICHAEL J. PRIMEAU, 0000
LOUIS J. PULEO, 0000
LEIGHTON R. QUICK, 0000
THOMAS A. QUINTERO, 0000
LEE B. RAGLAND, 0000
JOHN T. RAHM, 0000
MICHAEL J. RAIMONDO, 0000
EDDIE S. RAY, 0000
DARRELL F. RECTOR, JR., 0000
LARRY J. RECTOR, 0000
JAMES E. REILLY III, 0000
MICHAEL D. RESNICK, 0000
ROBERT D. RICE, 0000
ROBERT K. RICE, 0000
MICHAEL R. RICHARDS, 0000
BRYAN V. RIEGEL, 0000
PATRICK T. RILEY, 0000
MICHAEL A. ROCCO, 0000
THOMAS E. RODABAUGH, 0000
RITCHIE L. RODEBAUGH, 0000
NEIL H. RODENBECK, 0000
ERIC L. ROLAF, 0000
JAMES P. ROSENTHAL, 0000
JON L. ROSS, 0000
STACEY A. RUFF, 0000
JOHN RUPP, 0000
PAUL K. RUPP, 0000
PHILIP L. SALINAS, 0000
LAURA J. SAMPSEL, 0000
GEORGE P. SANDLIN, 0000
RODMAN D. SANSONE, 0000
MICHAEL A. SANTACROCE, 0000
JEFFERY A. SATTERFIELD, 0000
JOHN M. SCANLAN, 0000
RICHARD W. SCHIEKE, JR., 0000
ANDREW H. SCHLAEPFER, 0000
RICHARD A. SCHOTT, 0000
PAUL K. SCHREIBER, 0000
MATTHEW P. SCHWOB, 0000
JOSEPH A. SCUTELLARO, 0000
JAMES B. SEATON III, 0000
RICHARD M. SELLECK, 0000
JOHN M. SESSOMS, 0000
BRADLEY N. SHULTIS, 0000
RICHARD L. SIMCOCK II, 0000
CAROLINE A. SIMKINSMULLINS, 0000
JOHN W. SIMMONS, 0000
STEVEN S. SIMPSON, 0000
ROBERT O. SINCLAIR, 0000
DEAN T. SINIFF, 0000
JOHN D. SIPES, JR., 0000
GREGORY K. SIZEMORE, 0000
PHILLIP J. SKALNIAK, JR., 0000
DAVID A. SMITH, 0000
DAVID E. SMITH, 0000
DAVID W. SMITH, 0000
EDWARD J. SMITH, 0000
GERALD L. SMITH, 0000
JOSEPH G. SMITH, 0000
KEVIN L. SMITH, 0000
MARCUS R. SMITH, 0000
PHILIP E. SMITH, 0000
DAVID A. SOBYRA, 0000
JAMES H. SORG, JR., 0000
DAVID L. SPASOJEVICH, 0000
PAUL J. STENGER, 0000
TODD D. STEPHAN, 0000
LARRY S. STEWART, JR., 0000
CHRISTOPHER J. ST GEORGE, 0000
GEOFFERY W. STOKES, 0000
JOHN E. STONE, 0000
GARY A. STRASMANN, 0000
CATHERINE M. STUMP, 0000
GREGG A. STURDEVANT, 0000
STEVEN L. SUDDRETH, 0000
CHRISTOPHER G. SULLIVAN, 0000
RORY E. TALKINGTON, 0000
FRANK L. TAPIA, JR., 0000
RODNEY H. TAPLIN, 0000
KEVIN D. TAYLOR, 0000
DARRELL L. THACKER, JR., 0000
RICHARD W. THELIN, 0000
HERMINIO TORRES, JR., 0000
ROY L. TRUJILLO, 0000
ELIZABETH K. TUBRIDY, 0000
JAMES D. TURLIP, 0000
WILLIAM C. TURNER, 0000
PATRICK J. UETZ, JR., 0000
JAMES P. VANETTEN, JR., 0000
MARTY S. VEITEL, 0000
DOUGLAS J. WADSWORTH, 0000
MARK E. WAKEMAN, 0000
WILLIAM G. WALDRON, 0000
JAY D. WALKER, 0000
PAUL J. WARHOLA, 0000
PETER M. WARKER, 0000
GARY E. WARREN, 0000
DREW M. WATSON, 0000
RONALD WATSON, JR., 0000
MICHAEL A. WESCHE, 0000
WILLIAM E. WETZELBERGER, 0000
JOSEPH H. WHEELER III, 0000
GEORGE S. WHITBECK, 0000
BRUCE A. WHITE, 0000
JEFFREY R. WHITE, 0000
DAVID H. WILKINSON, 0000
DALE F. WILLEY, 0000
JEFFERY D. WILSON, 0000
ROBERT M. WINT, 0000
CLYDE M. WOLTMAN, 0000
NOEL S. WOOD, 0000
GREGORY P. WOODS, 0000
JESSE E. WRICE, JR., 0000
TONY L. WUNDERLICH, 0000
EDWARD YARNELL, 0000
GUY A. YEAGER, 0000
CHRISTOPHER E. YELDER, 0000
ERIC B. YONKEE, 0000
GEORGE L. YOUNG III, 0000
JOEL YOURKOWSKI, 0000
STEVEN M. ZOTTI, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531, 5582(A), AND 5582(B):

To be commander

BRIAN L. KOZLIK, 0000
CHRISTOPHER R. LINDSAY, 0000

To be lieutenant commander

WALLIS E. ANDELIN, 0000
RUSSELL P. ASHFORD, 0000
FRANK A. BIVINS, 0000
ROGER A. GILMORE, 0000
KERRY E. HUNT, 0000
ANDREW S. JOHNSON, 0000
DAVID P. JOHNSON, 0000
JACQUELINE KOVACS, 0000
STEVEN L. LORCHER, 0000
RICK A. MAY, 0000
MARK C. MONAHAN, 0000
MICHAEL M. QUIGLEY, 0000
STEPHEN T. SCHULTZ, 0000
ROBERT K. TILLERY, 0000
ROBERT VALE, 0000

To be lieutenant

ENEIN Y.H. ABOUL, 0000
PATRICIA ANDERSON, 0000
CHRISTOPHER ANDREWS, 0000
CHRISTOPHER E. ARCHER, 0000
CHRISTOPHER W. BARCOMB, 0000
CATHERINE A. BAYNE, 0000
RHETT A. BEATTIE, 0000
CHRISTOPHER L. BELL, 0000
KENNETH A. BELL, 0000
SUSAN E. BELLON, 0000
PAUL T. BENNETT, 0000
PATRICK J. BLAIR, 0000
MARY E. BODNAR, 0000
THOMAS Z. BOSY, 0000
FRANK L. BRADFIELD III, 0000
MARY M. BROWN, 0000
JAMES A. BURCH, 0000
CHARLES C. BURROUGHS, 0000
GREGORY D. BYERS, 0000
JANE E. CAMPBELL, 0000
RONNIE M. CANDILORO, 0000
SOOK K. CHAI, 0000
JANET D. COCHRAN, 0000
VICKI J. COLAPIETRO, 0000
FRANK A. COLON, 0000
JAMES M. COPENHAVER, 0000
KIMBERLY L. COVER, 0000
JAMES H. CRAWFORD, 0000
LANE J. CREAMER, 0000
DAVID E. DOW, 0000
DONALD C. EBY, 0000
JOYCE M. ELTER, 0000
BRIAN ERICKSON, 0000
THERESA M. EVERETTE, 0000
MATTHEW R. FEENEY, 0000
MARK G. FICKEL, 0000
KAREN D. FINE, 0000
KEVIN FITZPATRICK, 0000
TODD L. GARRETT, 0000
ADOLPH C. GARZA, 0000
EDRION R. GAWARAN, 0000
JOHN B. GEURIN, 0000
MICHELLE L. GLENN, 0000
MARK D. GROB, 0000
CHRISTINE B. GRUSCHKUS, 0000
LOUIS V. GUARNO, 0000
SANDRA M. HALTERMAN, 0000
GLENN D. HANSON, 0000
PAUL J. HAREN III, 0000
PATRICIA C. HASEN, 0000
BARRY L. HARRISON, 0000
STEPHEN J. HARTUNG, 0000
JOEL HARVEY, 0000
DANIEL J. HERNANDEZ, 0000
MITCHELL K. HOLMES, 0000
LORA D. HOOSER, 0000
RACELI C. HULETT, 0000
MARVIN JACKSON, 0000
AMANDA S. JOHN, 0000
CHRISTOPHER R. KARCHER, 0000
BRENT M. KELLN, 0000
ZAKI N. KIRIAKOS, 0000
JEAN M. KLOSINSKI, 0000
MICHAEL N. LANE, 0000
DONALD A. LONERGAN, 0000
CYNTHIA LOTSHAWVANDERMEER, 0000
BRIAN J. MALLOY, 0000
JESSICA L. MANSFIELD, 0000
ANTHONY P. MASSLOFSKY, 0000
RANDALL K. MATHIS, 0000
EDWARD J. MC FARLAND, 0000
MATTHEW K. MC GEE, 0000
DANIEL F. MC KENDRY, 0000
NEIL T. MILLER, 0000
LEONARD A. MILLIGAN, 0000
REY R. MOLINA, 0000
JOSEPH D. MOLINARO, 0000
STACIA L. MONEYHUN, 0000
MICHAEL MONREAL, 0000
ROBERT P. MOREAN, 0000
MICHAEL K. NORBECK, 0000
EDWARD C. NORTON, JR., 0000
RICHARD O'BREGON, 0000
MICHAEL P. O'CONNELL, 0000
DAVIN J. O'HORA, 0000
SCOTT E. ORGAN, 0000
GREGORY B. OSTRANDER, 0000
ROSEMARY PERDUE, 0000
GEORGE M. PERRY, 0000
DAVID W. PHILLIPS, 0000
CRAIG A. POWELL, 0000
VALERIE J. RIEGE, 0000
RICHARD R. RIKER, 0000
KENNETH S. ROTHAERMEL, 0000
CARL J. RUOFF, 0000
BRET A. RUSSELL, 0000
MARY J. SANDERS, 0000
SIDNEY J. SCHMIDT, 0000
KELLY A. SCHWASS, 0000
THOMAS G. SEIDENWAND, 0000
MICHAEL J. SERVICE, 0000
LEE P. SISCO, 0000
THOMAS F. STANLEY, 0000
WILLIAM B. STEVENS, 0000
TROND A. STOCKENSTROM, 0000
JON D. THOMAS, 0000
DEBORAH A. THOMPSON, 0000
KAREN J. THURMAN, 0000

CHRISTOPHER T. TORSAK, 0000
R0BINETTE L. TYLER, 0000
THOMAS D. VANDERMOLEN, 0000
JOHN A. VELOTTA, 0000
JOANN L. WALKER, 0000
DAVID W. WARNER, 0000
MICHAEL S. WATHEN, 0000
ROBERT D. WESTENDORFF, 0000
ANDREW R. WILLIAMS, 0000
JOHN C. WILLIAMS, 0000
PATRICIA A. WIRTH, 0000
THOMAS E. WITHERSPOON, 0000
DAVID R. WOOTTEN, 0000
NATHAN J. YARUSSO, 0000

To be lieutenant (junior grade)

KIMBERLY C. ABERCROMBIE, 0000
PATRICK K. AMERSBACH, 0000
VICTOR M. ANGULO, 0000
CONNIE J. AVERY, 0000
KEITH R. BARKEY, 0000
JULIE A. BERGESS, 0000
TIMOTHY C. BERZINS, 0000
JOSEPH P. BINGHAM, 0000
RONALD D. BOLING, 0000
BARBARA A. CLARKE, 0000
REBECCA H. COLE, 0000
JOSE A. COLON, 0000
JOHN P. CREEDON, 0000
ROBYN L. CROSS, 0000
SAMMY CUEVAS, 0000
FRANK M. CUNNINGHAM, 0000
STEVEN F. DESANTIS, 0000
MICHAEL P. DOYLE, 0000
CHRISTOPHER F. FLAHERTY, 0000
MATHEW C. GARBER, 0000
LISA S. GILLIAM, 0000
JESSE L. GOBELI, 0000
MIKE G. GONZALEZ, 0000
VICTORIA L. HAYWARD, 0000
KERRY B. HEISS, 0000
DANIEL D. HETLAGE, 0000
LINDA M. HILL, 0000
KATHLEEN A. HINZ, 0000
MATTHEW P. HOFFMAN, 0000
TRISHA J. HULET, 0000
AL V. JARQUE, 0000
DONALD J. JENKINS, 0000
VICKI L. JERNIGAN, 0000
ANGELA M. JONES, 0000
APRIL R. KING, 0000
MICHAEL S. KOHLER, 0000
LANCE A. LEE, 0000
JAMES W. MICKEY, 0000
MARC J. MIGUEZ, 0000
TERESA T. MILLER, 0000
MATTHEW J. MOORE, 0000
RANDY L. MOORE, 0000
SHANNON R. MUEHE, 0000
PAUL F. NETZEL, 0000
MARIA M. NORBECK, 0000
CIPRIANO PINEDA, JR, 0000
DEREK N. RAMSEY, 0000
SHAWN E. REVERTER, 0000
ROBERT S. RINEHART, 0000
EDWARD B. RITTER, 0000
JOHN C. ROBINSON, 0000
STEPHEN W. RODRIGUEZ, 0000
MICHAEL P. RYON, 0000
TRACEY L. SAMPLE, 0000
ARTURO SANCHEZ, 0000
ERIN H. SANDERS, 0000
DANIEL A. SHAARDA, 0000
DAVID P. SNELL, 0000
JAMES R. SPOSATO, 0000
ROBERT J. SRDAR, 0000
TONY J. STOCKTON, 0000
DAVID B. SURBER, 0000
THERESA A. TALBERT, 0000
PAMELA S. THEORGOOD, 0000
DAVID V. THOMAS, 0000
MATTHEW J. THOMAS, 0000
JENNIFER E. THOMPSON, 0000
ROGELIO L. TREVINO, 0000
EVELYN J. TYLER, 0000
BRIAN L. WEINSTEIN, 0000
ANTHONY W. WINSTON, 0000
CHRISTOPHER C. WOHLFELD, 0000
MICHAEL L. WOLFE, 0000

To be ensign

DANIEL B. AYOTTE, 0000
MICHAEL D. BISBEE, 0000
THOMAS W. GREEN, 0000
LAURA C. MC CLELLAND, 0000
CLINTON D. TRACY, 0000
STEPHEN M. WILSON, 0000

EXTENSIONS OF REMARKS

HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS AND THE PRESIDENT TO INCREASE FUNDING FOR THE PELL GRANT AND EXISTING CAMPUS-BASED AID PROGRAMS PRIOR TO FUNDING ANY NEW EDUCATION INITIATIVES

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. GOODLING. Mr. Speaker, I rise today in support of a House Concurrent Resolution that calls on the Congress and the President to work together to increase funding for the Pell Grant Program and existing campus-based student aid programs before funding new education initiatives.

This resolution establishes two priorities for higher education funding. The first priority is increasing the maximum Pell Grant awarded to students from low-income families to $3,525. This amount represents an increase of $400 to the maximum grant award and would be the largest increase since the inception of the program in 1972.

The second priority involves increased funding for the existing campus-based student aid programs. These programs provide financial aid administrators at colleges across the country with considerable flexibility in the packaging of financial aid awards that best meet the needs of their students.

The Pell Grant Program is one of the largest voucher programs in the country and it is considered the foundation program for all Federal student aid. Students eligible for a Pell Grant can use that money to attend one of more than 6,000 postsecondary institutions in the country.

The Pell Grant Program was created in 1972 and the goal of the program was simple. Congress wanted to assist students from low-income families who would not otherwise be financially able to attend a postsecondary institution. In the first year of the program, 176,000 students received Pell Grant awards. For the upcoming academic year, almost 4 million students are expected to receive Pell Grant awards. Of these students, 90% have family incomes under $30,000 and 54% of those families have incomes under $10,000. I believe we can all agree that the Pell Grant Program continues to serve the vital purpose for which it was originally created.

Why increase the Pell Grant maximum by $400 dollars? In real dollars, the appropriated maximum individual grant, adjusted for inflation, has decreased 4.7% between 1980 and 1998. At a time when yearly increases in college costs have greatly exceeded the rate of inflation, as well as family earnings, the Pell Grant has covered less and less of a student's cost of attendance. Although all students and their families suffer as a result of exorbitant increases in the cost of attending college, students from low-income families suffer the most adverse consequences.

Today, will billions of dollars available in student aid from the Federal government, State governments and institutions of higher education, children from high-income families continue to enroll in college at almost twice the rate of children from low-income families. For many of these families, the cost of college is the overwhelming factor in their decision to forego a college education.

In 1997, we helped the President enact tax credits related to postsecondary education for middle and upper income families. At the same time, we voiced strong concerns about the need to continue making substantial commitments to the Pell Grant Program in order to assist those students from low-income families who would not receive any benefits from the new tax credits. Unfortunately, the President's request to increase the maximum Pell Grant by $125 dollars is not the substantial commitment I had in mind.

In addition to the Pell Grant Program, this resolution supports increased funding for the campus-based student aid programs. While Pell Grants open the door to postsecondary education for many students from low-income families, it's the campus-based programs that provide these same students some degree of choice in selecting a postsecondary institution. After years of double-digit increases in the cost of a college education, the maximum Pell Grant no longer covers the cost of attendance at most public 4-year institutions in the country. However, a Pell Grant coupled with awards from the campus-based programs goes a long way in reducing the amount a student needs to borrow in student loans in order to pay the bills for tuition and room and board.

The campus-based student aid programs also require institutions to provide matching funds in order to receive funds from the Federal Government. The $1.5 billion dollars devoted to the campus-based programs last year leveraged almost $400 million dollars in additional aid to college students across the country. These are fundamentally sound programs that have served our nation's college students well for the past three decades and we should consider them a higher education funding priority.

I urge my colleagues to support this resolution and the higher education funding priorities it establishes for the Congress and the President.

TRIBUTE TO MARTHA JEAN ''JILL'' WIELAND

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SHIMKUS. Mr. Speaker, I rise before you today to congratulate a constituent of mine, Martha Jean ''Jill'' Wieland, for being named the ''1999 Illinois Mother of the Year.''

Often today our Nation measures success by the level of the Dow Jones Industrial Average or the value of the dollar. While these are certainly significant, nothing is more important to the success and future of our Nation than our children.

As a father of two young boys, I am aware of the many responsibilities and challenges that face parents today. Jill Wieland went above and beyond those expectations by acting as an excellent mother to her own children while also providing leadership for other children through Sunday School and Girl Scouts. Furthermore, since 1962, Jill has been a foster parent for the Children's Home and Aid Society of Illinois where she has cared for over 100 children.

Again, I would like to congratulate Jill on being named ''1999 Illinois Mother of the Year.'' She has not only had a positive impact in the lives of many children, but has also made a significant contribution to society.

TRIBUTE TO CHIEF ROBERT J. PIZZUTI

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. PASCRELL. Mr. Speaker, I rise today to pay tribute to Chief Robert J. Pizzuti of Montclair, New Jersey, an outstanding individual who has dedicated his life to public service. He will be honored this Friday, April 9, 1999, by parents, family, friends, and professionals for his 43 years of outstanding contribution to the community through his outstanding leadership of the Montclair Fire Department. Chief Robert Pizzuti personifies public service through his true commitment to firefighting and the people of Montclair, New Jersey.

Robert J. Pizzuti was born on Willow Street in Montclair, New Jersey on the first day of January, nineteen hundred thirty five. He attended Immaculate Conception School in Montclair from first grade until eighth, where he then attended Montclair High School, where he graduated in 1952. After graduating from high school Chief Pizzuti fought in the Golden Gloves as a Welter Weight, weighing in at 147 pounds, where he was very successful winning a numerous amount of awards. In 1953, he joined the armed forces and served for the next two years as a soldier in the Army. While there he attended a leadership school at Camp Chaffee in the state of Arkansas. Chief Pizzuti was released from the Army on September 13, 1955.

In June of 1956, Chief Pizzuti took his first Fire Exam and passed scoring the highest grade on the exam. He was officially sworn in as a firefighter on August 1, 1956. Chief Pizzuti has continued to serve on the Montclair Fire Department for 43 years and has performed in a variety of positions. He was sworn in as Lieutenant FireFighter on December 10, 1968, then as Captain on March 6, 1980. He was sworn in as Deputy Chief

FireFighter on August 14, 1984, then as Acting Chief on October 1, 1990. Finally on July 1, 1991, Mr. Robert Pizzuti was sworn in as Chief Robert Pizzuti of the Montclair Fire Department, and it is in that capacity in which he has served for the last eight years. He is a member of the F.M.B.A. and is also the Sergeant at arms of the Chief's Association.

Chief Pizzuti has been acknowledged by many groups over the years for his civic awareness; the March of Dimes, Christ Church, the Borough of Glen Ridge, the New Jersey General Assembly, the Dr. Martin Luther King Jr. Youth Summit, and the Montclair Optimist Club, to name just a few. Chief Pizzuti has also been involved with First Night in Montclair, as well as coaching softball, baseball, and football.

Chief Robert Pizzuti has been married to Eleanor Majewski since May 18, 1957. And they have five children; Diana, Tracy, Robert Jr., Robin, and Thomas. He and his wife are also grandparents to seven grandchildren and they are presently expecting their eighth.

Mr. Speaker, since I took office in January of 1997, Chief Robert Pizzuti has been a member of my Eighth Congressional District Public Safety Committee that has been so instrumental in counseling me on issues of importance to those who are charged with saving lives every day. In fact, Chief Pizzuti was one of the forces behind the Firefighter Investment and Response Enhancement (FIRE) Act which I recently introduced in this esteemed body. This law will provide federal grants directly to paid, part-paid, and volunteer fire departments to hire more firefighters, train firefighters in state-of-the-art techniques, and better equip firefighters so that they can more effectively save lives. It was in large part to Chief Pizzuti's imagination and initiative that this innovative piece of legislation was crafted.

Mr. Speaker, I ask that you please join me, our colleagues in the United States House of Representatives, Robert's family, friends, and co-workers, the Montclair Fire Department, and the Township of Montclair, New Jersey, in thanking Chief Robert Pizzuti for all his years of service to the community and congratulating him on his well deserved retirement, his presence will be greatly missed.

TRIBUTE TO COMMANDER JOSEPH ANTHONY CRUZ SAN AGUSTIN

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. UNDERWOOD. Mr. Speaker, I would like to take this occasion to commend and congratulate Commander Joseph Anthony Cruz San Agustin of the United States Navy on his distinguished career and his upcoming well-earned retirement.

Born on October 19, 1957, in the village of Tamuning, Commander San Agustin is the son of Joaquin and Ana San Agustin. Prior to being accepted at the Naval Academy Preparatory School in Newport Rhode Island in 1975, he attended Father Duenas Memorial School. In 1980, he earned a degree in Physical Science from the U.S. Naval Academy in Annapolis, Maryland.

Joseph was awarded his Navy Wings from the U.S. Navy Flight School at Pensacola Florida in 1982 and went on to serve as a pilot of military aircraft for 20 years. He was commissioned as a second lieutenant in the United States Marine Corps in 1980 and was assigned to VMGR–352 ''Raiders'' El Toro, California, VMGR–152 Okinawa, and Battalion 7th Marines, Camp Pendleton, California. Having transferred over to the Navy side as a lieutenant in 1987, he went on to serve with VQ–3 ''Ironman'' Barbers Point, Hawaii, PMRF, Barking Sands Hawaii, and VQ–3 ''Ironman'' Oklahoma City, Oklahoma, prior to being assigned to COMNAVMARIANAS, Guam.

Commander San Agustin holds the distinction of being one of only a handful of Chamorros to graduate from the Naval Academy and retire from the United States Navy. In addition to the numerous commendations and awards he received for his military service, he had also been presented various certificates and aviation qualifications which have included the Airline Transport Certificate, the Airline Single/Multi-engine land, the Flight Engineer Certificate, the Turbojet Powered, and the FAA First Class Medical Certificate.

While on Guam, he played a large role in the required process of normalization in the aftermath of various military operations and natural disasters. Joseph was involved with Operation Pacific Haven in support of over 6,600 Kurdish evacuees fleeing Iraq to seek political asylum in the United States. Along with various military personnel, he provided humanitarian assistance during the stressful times after the crash of Korean Air Flight 801 and the devastation left by super-typhoon Paka. He was also instrumental in maintaining a positive mutual relationship between the Navy and the Government of Guam in his position as Guam Liaison for COMNAVMARIANAS.

Joseph has also been active in community activities on Guam. For the past two years, he was the PTA president for Mt. Carmel School in Agat. He also finds time to get involved in various community projects with the Agat Elementary School, the Agat Mayor's Office, the Agat Running Club, the Barrigada Mayor's Office, and the San Vicente Catholic Church.

After more than two decades of distinguished and dedicated service, Commander San Agustin has chosen to retire from the Navy. In addition to the great contributions his military career has made towards the strength and security of this nation, Joseph's achievements and community involvement have undoubtedly brought pride to the island of Guam and its people. He is a role model; he is a leader; he is a great representative of his island home.

I join his wife, Maria, their children Rachel, Rebecca, and Alan, in celebrating his accomplishments throughout his long and successful military career. On behalf of the people of Guam, I commend and congratulate Commander Joseph Anthony Cruz San Agustin on his well-earned retirement. I wish him well in his future endeavors and expect from him only the best as he once again becomes part of Guam's civilian community.

IN HONOR OF THE FIRST YEAR ANNIVERSARY OF THE MONTGOMERY COUNTY HOSPITAL DISTRICT EMERGENCY MEDICAL SERVICE

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. BRADY of Texas. Mr. Speaker, today marks the 1-year anniversary of the new Montgomery County Hospital District Emergency Medical Service (MCHDEMS). Therefore, on this occasion, I want to recognize and applaud the accomplishments of MCHDEMS in providing quality patient care and customer service for the citizens and visitors of Montgomery County.

During its first year, MCHDEMS implemented a system-wide improvement program focused on accountability to the patient and the community. They have also joined with area hospitals and school health programs to provide educational classes for pediatrics, trauma, and cardiac emergencies.

Furthermore, the Montgomery County Hospital District Emergency Medical Service has provide CPR certification for over 300 lay persons, who through this training, increased the survival rate for people in our community. Many of the CPR rescues and other critical interventions they have performed have saved patient lives and restored patients to their families.

In addition, its community outreach programs, including how to ''dial 911'' featuring Andy the Ambulance and Twinkle the Clown, have reached over 5,000 children. Their Driving While Intoxicated (DWI) awareness programs, provided across county high schools, have been beneficial in preventing many needless tragedies.

For all of these and other efforts, Allen Johnson, Operations Manager of the Montgomery County Hospital District Emergency Medical Service was recognized as the Administrator of the Year for the State of Texas for his leadership in the resumption of the Emergency Medical Service for Montgomery County Hospital District.

Mr. Speaker, I wish the Montgomery County Hospital District Emergency Medical Service well as they begin their 2nd year of service.

HONORING ST. MARY'S CHAMBER OF COMMERCE 25TH ANNIVERSARY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. HOYER. Mr. Speaker, I rise today to acknowledge the St. Mary's County Chamber of Commerce on their twenty-fifth anniversary.

Their initial meeting was held in April, 1974 by combining the Leonardtown and Lexington Park Chambers. A board of directors was installed and George Sparling was elected president. Eddie Bailey, Rubye Beaman, Eddie Burroughs, Robert Dudley, Bert Fenwick, Jack Fletcher, Joe M. Gough, Stewart Hobbs, Jim Kenney, Richard Lubbers, Charles Mason, Bill Raley, Buzzy Ridgell, Mary Salisbury, Les Shaw, Harry Lee Smith,

Leroy Thompson, Jr., Elliot Weisman, and Rocky Willis served as the board of directors.

The chamber had 150 charter members. Office space was two rooms on the second floor of the First National Bank of St. Mary's in Leonardtown, courtesy of Joe M. Gough. They occupied those offices until 1988 when the chamber moved to Mechanicsville. Not only has the chamber grown in membership with 400 members today, but also in service to the community, with members serving on a number of county and state boards and local committees.

Over the years, the chamber has supported county events such as the Oyster Festival and Maryland Day. The Trade Fair was started in 1983 to give local businesses the chance to show their wares and to promote county businesses. As a result of a good working relationship with county government, state government and the Southern Maryland Congressional delegation, major accomplishments of direct and indirect services to the business community have been achieved. The chamber lobbied for five years to have the commercial inventory tax reduced, which affected 80% of the county's wholesale and retail businesses.

In 1976, the chamber operated the tourist information center at Charlotte Hall. In 1980, the Tourist Information Center found its permanent home at the chamber office in Mechanicsville. Over the years the chamber has evolved into a vital entity of St. Mary's County. Despite its growth, one thing has not changed; the original core values to promote local business and empower local citizens.

Mr Speaker, I ask you and the remainder of my colleagues to join with me in applauding the service and sacrifice of the St. Mary's County Chamber of Commerce.

TRADE ADJUSTMENT ASSISTANCE REFORM ACT

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. MATSUI. Mr. Speaker, joined by my colleague, Mr. BONIOR, today I introduce the Trade Adjustment Assistance Reform Act of 1999. This legislation will expand the safety net for American workers by reauthorizing and improving existing adjustment programs for workers who are adversely impacted by trade. It combines the best features of the existing Trade Adjustment Assistance (TAA) and the NAFTA Transitional Adjustment Assistance (NAFTA–TAA) programs into a consolidated TAA program and improves the effectiveness and timeliness of services provided to American workers hurt by international trade.

The bill would authorize the consolidated TAA program for 5 years through fiscal year 2004. Most importantly, the consolidated program would expand eligibility to workers who lose their jobs due to shifts in production by their firm to other countries. Currently, TAA eligibility is restricted to workers hurt by imports and NAFTA–TAA is limited to workers adversely affected by imports from, or shifts in production to, Mexico or Canada only. Our bill will ensure that comprehensive assistance is available to workers who lose their jobs due to imports from, or shifts in production to, any foreign country.

The legislation also ensures that rapid response and basic readjustment services will be made available to workers upon the filing of a petition for TAA eligibility. These services are critical to facilitating rapid reemployment of workers and providing important information relating to the resources available at the Federal, State, and local level to assist them. The measure also requires a one-third reduction in the time period for the Department of Labor to process eligibility petitions under TAA in order to ensure that benefits are made available to trade-impacted workers as soon as possible after their displacement. To ensure that these workers get the assistance they need, the bill provides a much-needed increase in the annual cap on training expenditures to $150 million; a portion of which supports the training costs associated with the expanded ''shift in production'' provision, and a portion of which is needed to fund the significant increase in program caseload currently being experienced.

The legislation also harmonizes the differing rules of the current programs relating to requiring enrollment in training as a condition for receiving income support. The new rules retain the program's emphasis on linking income support to training but permit specified exceptions where appropriate to assist certain workers. In addition, the bill would reduce the hardship currently experienced by workers who attend community colleges by expanding the period for scheduled breaks in a training program during which a worker may continue to receive income support.

In keeping with an increased emphasis on integrated service delivery, the legislation seeks to enhance coordination between the consolidated TAA program and the dislocated worker program under the recently-enacted Workforce Investment Act. In particular, the bill would significantly improve the accountability of the consolidated program by ensuring that TAA and the dislocated worker program have common performance outcome measures; i.e. information on the placement in employment, earnings, and retention of employment by participants.

The legislation also assures that information will be collected and maintained that identifies the countries to which production is shifted to and, to the extent practical, from which articles are imported. This will include information on the number of certifications relating to imports from, or shifts in production to, Mexico or Canada—which will assist in making eligibility determinations under related NAFTA programs and in assessing the adequacy of the consolidated program.

In addition, this legislation provides for the extension of the Trade Adjustment Assistance for Firms Program administered by the Department of Commerce under chapter 3 of title II of the Trade Act of 1974. And finally, the bill establishes a Presidential Commission on Workers and Economic Change in the New Economy to make further recommendations on program improvements.

Mr. Speaker, while much of the country is enjoying a booming economy, there are geographic areas and industries which are experiencing significant worker dislocation. It is critical that the Congress support programs that give workers the tools they need to find and prepare for good-paying jobs in the new economy. One of the important ways we can begin to develop a broad consensus on trade policy is to address the negative consequences of globalization by reaffirming and improving on our longstanding commitment to assist workers impacted by trade. I urge my colleagues to join in supporting these reforms.

MARINO SIMONETTI HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to my good friend Marino Simonetti, who will be honored by the Italian American Veterans of Luzerne County at their Past Commanders Ball on April 24. I am pleased to have been asked to participate in this tribute.

A 1948 graduate of Wilkes-Barre Township High School, Marino served in the U.S. Navy from 1948 to 1952, a period that included the Korean Conflict. Marino returned to the Wyoming Valley following his discharge and worked as an electrical inspector. He also operated Simonetti's Pizzeria.

Marino is active in all local veterans organizations. He is a member of the Korean War Vets, the Catholic War Vets, and the Veterans of Foreign Wars. He is the Bersagliere for the Italian American Vets, overseeing the color guard. He is best known for his dedicated volunteer activities at the Wilkes-Barre Veterans Affairs Medical Center, each year portraying Santa Claus and entertaining hospitalized vets on Saturday mornings at his own expense. His Halloween costumes are now a tradition in the halls of the Medical Center each October.

Marino is a member of the Korean War Vets Memorial Committee, the Committee to Preserve the Memorial at Letterkenny Army Depot, and the Committee to Restore the Italian-American Honor Roll Memorial in the Italian Cemetery. He was a guard at the ''Moving Wall'' Vietnam Vets memorial when it came to our area and he carried the American Flag on a march with the Canadian Legion on two occasions.

In 1992, Marino received the Humanitarian Service Award from the United Cerebral Palsy Association and in 1993, he was named ''Man of the Year'' by the Italian-American Veterans of Luzerne County.

Mr. Speaker, Marino Simonetti is a proud example of the strong tradition of patriotic volunteerism of our area veterans. Our veterans rise to any occasion to assist and support each other and are an integral part of our community in Northeastern Pennsylvania. I send my very best wishes to Marino on this special occasion and to all of my good friends in the Italian-American Veterans of Luzerne County.

HONORING MARTIN ETLER

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. ROTHMAN. Mr. Speaker, I rise today to give birthday greetings to a constituent in Fair Lawn, New Jersey, Martin Etler of Elmary Place, who celebrates his birthday on April 24.

Marty was born in Holliswood (Queens), New York, on April 24, 1929, and eight years later in 1937, moved with his parents to Paterson where he graduated from East Side High School in 1947, and then went into the service for four years and three months, serving his country in the Air Force.

As a member of the 301st Bomb Group (352nd Squadron), Marty was stationed first in Guam, then at a Royal Air Force facility outside London, and still later at several bases inside the United States.

In 1952, he moved to Fair Lawn, a town in our district I am proud not only to represent, but also to reside in. He married the lovely Violet DeVries, and though his work in the maintenance department of United Airlines kept him busy for nearly 40 years, he still found time to give back to his community.

As a member of the Zoning Board of Adjustment for some 20 years, he has given of himself willingly on the first Monday of each month, and many third Mondays—rarely missing a meeting except in the summer when he has coordinated the reunions of his Air Force Squadron and Bomber group all over the United States.

Marty has taken the ''job'' of being a member of the Zoning Board of Adjustment very seriously, almost always going out to the premises for which a variance is sought, looking at the neighborhood, the relief sought, and then trying to work the inevitable compromise between the zoning ordinance and those seeking a variance or relief from something that is otherwise prohibited.

On the occasion of this milestone birthday, Mr. Speaker, I am certain that the entire Borough of Fair Lawn, and this House of Representatives, wishes him well.

TRIBUTE TO DR. ROBERT H. HOLSTER

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. PASCRELL. Mr. Speaker, I rise today to pay tribute to Dr. Robert H. Holster of Clifton, New Jersey, an outstanding individual who has dedicated his life to public service. He will be honored this Friday, April 9, by parents, family, friends, and professionals for his many years of outstanding contribution to the community. It is only fitting that we are gathered here tonight in his honor, for he epitomizes caring and generosity of spirit.

Bob Holster has a truly storied past, starting with his education from my alma mater, Fordham University, where he graduated in 1969 with a Bachelor of Arts in Education and a minor in Education Psychology. In 1974, Bob attended Colombia University, where he received his Masters of Art in Curriculum and Instruction Specialization. Recently in January of 1999, Bob received his latest achievement, by earning his Doctorate Degree in Administration and Supervision from Fordham University. This educational background serves as the foundation for the outstanding work he is doing each day on behalf of our students.

Educated in Passaic, New Jersey, Bob understands that a successful future for any individual is built upon a strong education. Toward that end, he has served the Passaic School System with distinction for two decades. This exemplary career includes eight years as the Director of Curriculum and nearly six years as Assistant Superintendent of Schools for Curriculum and Staff Development. In both roles, Dr. Holster helped to shape the path of learning for thousands of young people in his community.

His tenure has most recently included six years as the Superintendent of Passaic's Public Schools. His tenure has been marked by innovation, steadfast leadership, and an unwavering commitment to each and every student in Passaic, New Jersey.

Superintendent Holster has been recognized many times for his community service, including being named Passaic City Man of the Year in 1987, Lions Club Man of the Year in 1994, and the prestigious ''Dissertation Choice Award'' from his alma mater Fordham University in 1995.

On a personal note, Mr. Speaker, over the years I have not only come to know Bob Holster as an outstanding educator, but I am proud to call him a genuine friend. He can always be counted on in tough times and in good ones as well. It is thus with distinct pleasure and privilege that I say these words.

Mr. Speaker, I ask that you please join me, our colleagues in the United States House of Representatives, Bob's wife Sharon, his family, friends, and co-workers, the Passaic School System, and the City of Passaic in thanking Superintendent Robert Holster for all his years of service to the community.

TRIBUTE TO ''RSVP''

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SHIMKUS. Mr. Speaker, I would like to call to your attention the importance of volunteerism to our Nation. It seems that too often today we turn to the government when we need assistance. While this may be appropriate as a last resort, the government is not the answer to all our distinctly individual problems. Instead, a greater importance must be placed on volunteerism as a means of helping people.

One group of my constituents that is performing this very important societal function is the Retired Senior Volunteer Program (RSVP). In May, RSVP is celebrating their 25th anniversary of service to society. For the past 25 years, this group of 417 active volunteers have served the counties of Brown, Calhoun, Pike, and Schuyler.

RSVP provides hundreds of different community services including tutoring, mentoring, companionship, disaster relief, and child care. The list of community services that RSVP provides goes on and on to fit the needs of individuals in the community. A few examples of the personal care and service that RSVP has given include making sure that Dorothy, who is homebound, receives her afternoon meals and that Jesse, a young student, gets the help he needs with his spelling.

Too often people use ''lack of time'' as an excuse when declining to volunteer their time. However, some RSVP members volunteer only a few hours a week to helping their community. While a few hours might not sound like a lot, it sure means a lot to Dorothy and young Jesse.

I would like to personally congratulate the Retired Senior Volunteers Program on their upcoming 25th anniversary. They have not only helped their community by volunteering their time and services, but have also helped our Nation by setting an example for all to follow.

A TRIBUTE TO MATTHEW O'LEARY

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mrs. MEEK of Florida: Mr. Speaker, I rise today to pay tribute to the late Matthew Paul O'Leary, who was born on April 20, 1977, in the state of Victoria, Australia. Matt O'Leary was an outstanding athlete who earned the title, ''Best and Fairest,'' on many occasions in the rugged sport of Australian Rules Football. He was an exemplary sportsman in golf, tennis, and cricket, as well. Physical training was a daily part of his happy life. Loving the outdoors, he accompanied his aunt, Helen Soulsby, in an extended bicycle tour across his home state.

Highly intelligent, kind, and immensely popular, Matthew O'Leary lived life intensely and brought great joy to those who knew him. He loved to accompany his energetic uncle, Kevin Soulsby, in swimming in the irrigation channels and in agricultural work on the family farm. When Matt died at the age of seventeen in a tragic car accident on October 30, 1994, he left a glowing example of how to truly appreciate the gift of life.

Matthew's funeral was attended by so many hundreds of people that even the church grounds were overflowing. In the moving funeral Mass, Matt's grandparents, aunts, uncles, and great-uncles all assisted in the celebration of his life by performing some of the readings, by singing, by distributing the Holy Eucharist, and by serving on the altar as acolytes.

Matthew O'Leary was a credit to his upbringing. He was the second, beloved son of Margaret and Terri O'Leary, and was the devoted brother of Sean, Haydn, and Emily, all of whom he cherished dearly. He is survived by his loving grandmothers, Pat O'Leary and Alice Soulsby; his affectionate grandfather, Jack Soulsby; his sister-in-law, Renee O'Leary; and nephew, Ryan Matthew; as well as his many loving aunts and uncles. He was preceded in death by his grandfather, Owen O'Leary.

Matthew O'Leary seized life and reveled in it. It is privilege to honor the memory of a young man who truly lived by the ''Golden Rule'' of treating others fairly.

TRIBUTE TO ART AND SANDY GINSBURG

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to my good friends, Art and Sandy

Ginsburg. Art and Sandy are the owners of Art's, one of the best delicatessens in Los Angeles. In addition to their skills as restaurateurs, Art and Sandy are known for their dedication to assisting others. They never seem too busy to help another worthy cause, or to provide much-needed support to another outstanding organization.

This year, Art and Sandy Ginsburg are being honored by Women's American ORT, in recognition of their service and generosity over many years. Sandy, in fact, has been a member of Women's American ORT for 34 years! The Ginsburgs are committed to ORT's goal of providing technical training to students around the world and preparing them for good jobs in the emerging global economy. Hundreds of thousands of men, women, and teenagers have benefited from the education provided by ORT schools.

Closer to home, the Ginsburgs are tireless in their support of the activities of the Jewish community. They have helped to establish a program at Temple Beth Hillel that has integrated disabled and handicapped people into the mainstream of Jewish life and Art's Delicatessen has consistently provided food for the Shabbat dinners that are sponsored by this program.

Art and Sandy's generosity extends to other programs and organizations as well. Art's Deli donates food to Chandler House, which provides alcohol rehab services, and also participates in a program that feeds the poor and homeless throughout the Southern California area. Art has also served his community as Vice President/Board of Directors of the Studio City Improvement Association and as a member of the Board of Directors of the Studio City Chamber of Commerce.

As the parents of three grown children, Art and Sandy have also spent a good portion of their lives helping such organizations as the Girl Scouts, as well as a variety of schools in the San Fernando Valley. They contributed to the athletic program at Grant High School, and to this day they invite kids from a local junior high school to tour the Delicatessen as part of a careers program.

I ask my colleagues to join me in saluting Art and Sandy Ginsburg, devoted parents and grandparents, successful business people, and great friends of our community. Their altruism and compassion inspire us all.

THE NATIONAL CEMETERIES ACT OF 1999

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. EVANS. Mr. Speaker, I am today introducing the National Cemeteries Act of 1999. This legislation requires the Secretary of Veterans' Affairs to establish three new national cemeteries. Each of these new cemeteries will be established in an area of the country determined by the Secretary of Veterans Affairs to be most in need of Cemetery space to serve veterans and their families.

VA statistics show that demand for burial benefits will increase sharply in the near future, with interments increasing 42% from 1995 to 2010. Unless new national cemeteries are established soon, VA will not be able to meet the need for burial services for veterans in several metropolitan areas of the country.

I am concerned that too many veterans lack access to the final—and for many, the only—veterans benefit they will receive from our grateful nation. The number of veterans who lack adequate access to burial in a national cemetery will increase during the next decade, and the Department of Veterans Affairs has not demonstrated a commitment to establishing obviously-needed new national cemeteries. I was deeply disappointed that the Administration FY 2000 budget for VA failed to include a request for the funding required to initiate new national cemeteries. When we on the Veterans Affairs Committee finally agreed last year to enact legislation requested by the VA to enhance the State Cemetery Grants program, it was only after we were assured by the Department that this program would continue to simply supplement the national cemetery system—not replace it. In view of this, I expected the Department to demonstrate its commitment to the expansion of the national cemetery system by including funding for at least one new cemetery in the FY 2000 budget request. It is because that funding was not in the VA's budget request that I am introducing this legislation today.

Accordingly, my bill would require the Secretary to establish a new national cemetery in the three areas of the country that are determined by the Secretary to be most in need of burial space. Additionally, this legislation would require the Secretary to provide Congress with a report 4 months after enactment of the National Cemetery Act of 1999. This report will identify the three areas where new national cemeteries are to be established, a schedule for cemetery construction, and an estimate of the costs associated with establishment of these cemeteries.

In 1862, President Abraham Lincoln signed legislation authorizing the purchase of ''cemetery grounds'' to be used as national cemeteries ''for soldiers who shall have died in the service of the country.'' The fourteen cemeteries that were established that year were the beginning of what has become the National Cemetery System. Today, more than 130 years after the first national cemeteries were established, the National Cemetery Administration of the Department of Veterans Affairs is responsible for more than 2.2 million gravesites at 115 national cemeteries in 39 states. Of these 115 cemeteries, 57 are open to all interments, 36 can accommodate cremated remains and family members of those already interred, and 22 are closed to new interments.

On May 31st of this year, many of us will attend Memorial Day observances at our national cemeteries during which we will, with humility and thanks, pay sincere respect to those whose sacrifices and dedication have protected the ideals on which America was founded. We will remember the more than 42 million patriots who, through two centuries and too many wars, have taken up arms to defend America and to guarantee that the blessings of liberty are secure. Remembering, however, is not enough. We as a nation must also meet our historic commitment to provide health care, compensation, and readjustment assistance to the living—and provide a hallowed resting place for our American heroes when they die.

I urge Members to support the National Cemeteries Act of 1999.

TRIBUTE TO CLYDE MADDOX

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. BROWN of California. Mr. Speaker, it is with a great sense of pride that I rise today, on the floor of the U.S. House of Representatives, to pay tribute to Clyde Maddox, a Vietnam veteran, who was elected Commander of the 110,000 member Disabled American Veterans, Department of California, last year.

Clyde Maddox was born in Americus, Georgia to a family which included eight other brothers and sisters. He spent the first 18 years of his life in Americus. He graduated from Sumtar County High School in 1968 prior to beginning a career in the United States Marine Corps where he spent 21 years serving his country.

Clyde Maddox served a tour of 13 months in Vietnam. He has also served in two tours overseas and has been stationed in several other cities including Earl Colt Neck, New Jersey, Cherry Point, North Carolina, and El Toro and Camp Pendleton, California.

Mr. Maddox has been the recipient of numerous awards and certificates for exemplifying professionalism and initiative to reflect the highest traditions of the Marine Corps and the United States Naval Service. On January 28, 1988, Mr. Maddox was recognized with a Certificate of Good Conduct Medal. He was awarded a Navy Achievement Award Medal for serving as Ground Supply Chief, 3rd Marine Air Craft Wing Fleet Marine from May, 1979 to July, 1982. He received a Meritorious Service Medal during the period of November, 1986 to May, 1989. In October, 1996 Maddox was awarded with another Navy Achievement Award.

On January 1, 1991, Mr. Maddox officially retired from the U.S. Marine Corps after a distinguished career. He then accepted a position with the Disabled American Veterans Organization, at the Jerry L. Pettis Hospital in Loma Linda, California.

While working with the Disabled American Veterans, Mr. Maddox was awarded a Certificate of Appreciation on February 4, 1993, for distinguished and exemplary service. On March 20, 1996, he received a certificate for Outstanding Service as a Service Officer.

Mr. Maddox continues to serve as a volunteer with the Disabled American Veterans. He is currently employed by the Department of Veterans Affairs in the Material Management Department at the Loma Linda Veterans Affairs Medical Center.

Clyde Maddox is a life member of Riverside Chapter #28, he and his wife Ruby, the parents of two children, reside in Moreno Valley.

A testimonial dinner will be held on Saturday, April 17, 1999 in Riverside, California at the Riverside Convention Center to pay tribute to Clyde Maddox.

Mr. Speaker, I ask my colleagues to join me and veterans in my congressional district in paying tribute to Clyde Maddox for his exemplary service and patriotism to our country. We also recognize his hard work to safeguard and promote the benefits and programs that disabled veterans have earned through their military service to our Nation.

IN MEMORY OF ALLISON MICHELE MILLS OF BELLAIRE

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. NEY. Mr. Speaker, I rise today in memory of Allison Michele Mills, who passed away on April 12, 1999. Allison was born December 6, 1980, the daughter of Dave and Lynne Temple Mills.

Allison was a senior at Bellaire High School, where she was announced as the Valedictorian of the graduating class of 1999. At Bellaire High School, Allison was the president of the National Honor Society, a Hugh O'Brian Youth Ambassador as well as a cheerleader and a member of the marching band. Additionally, Allison was a member of the French Club, the Quill and Scroll, and a four-year class officer.

Mr. Speaker, it is a privilege for me to pay my last respects to a young woman who gave so much of herself to her community, her school and her family. Allison will be missed by all whose lives she touched. I am honored to have represented her and proud to call her a constituent.

GENERAL ELECTRIC APPLIANCES EMPLOYEES HELP THE YOUTH OF AMERICA

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mrs. NORTHUP. Mr. Speaker, I rise today to pay tribute to the employees of General Electric (GE) Appliances for their contribution to over 1 million hours of volunteer work to the youth of America. In April 1997, GE pledged that by the year 2000, its employees, retirees, and family members would volunteer over 1 million hours in community service. Not only did GE reach this goal, but surpassed it, with 1.3 million hours contributed thus far.

In Louisville, Kentucky, GE Appliances contributes an average of 210,000 volunteer hours each year and donates approximately $2 million to community service organizations. Its efforts are far reaching and have a tremendous impact on this community. They include refurbishing the campus of Brooklawn Youth Haven, an organization which serves boys who suffer from severe emotional and behavioral problems; working with students from Western High School to create Kentucky's first student team to participate in the F.I.R.S.T. Program, a national robotics competition; providing mentoring and leadership to thousands of African-American youth; refurbishing the Wayside Christian Mission Family Crisis Center; and refurbishing two classrooms at Family Place, a child abuse treatment agency.

Mr. Speaker, I am proud to honor the volunteers of GE Appliances, especially those in Louisville, Kentucky. They have shown that taking pride in your community and working to improve the lives of its residents is an important part of being a United States citizen. Their outstanding efforts truly make a difference in the lives of Kentucky's youth, and I hope that they will serve as a source of inspiration to communities throughout this country.

CONGRATULATING THE SCHOOL SISTERS OF NOTRE DAME ON THE OCCASION OF THEIR 50TH ANNIVERSARY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. UNDERWOOD. Mr. Speaker, I take this opportunity to recognize the School Sisters of Notre Dame on Guam who are celebrating their 50th anniversary on May 9, 1999. I also extend my congratulations to Sister Joseph Ann Quinene, the local regional director, and all the Notre Dame Sisters on this very special occasion. Given the success of numerous students who have grown in wisdom and knowledge under their tutelage, their 50-year presence represents more than simply a measure of time. Their commitment to the children of Guam, their dedication to teaching, and their strong faith have enriched our island community in ways that cannot be measured.

The School Sisters of Notre Dame arrived on Guam in 1949 as a Mission of the Milwaukee Province at St. Francis in Yona. Invited by Rev. Bishop Apollinaris Baumgartner and Rev. Father Alvin Lafeir over the years, the mission grew to include the establishment of St. Francis School in Yona, San Vicente School in Barrigada, Our Lady of Mount Carmel in Agat, and the Notre Dame High School in Talofofo. They have also provided the opportunity for many young Guamanian women to join their mission.

By the end of their first year on Guam, Guamanian girls became candidates for membership in the Notre Dame Sisters family. In August of 1955, the first two professed Guamanian Sisters returned to Guam to help in the teaching force of the School Sisters of Notre Dame. In 1969, Sister Mary Bernard Unpingco, a native Guamanian, was elected to represent the island in Rome, and in 1974, Sister Cecile Marie Crisostomo was elected as the first Guamanian Regional Leader. This opened other administrative positions for the Guamanian School Sisters of Notre Dame. Since 1974, the principals and community leaders have been held by local Sisters.

To assist in their mission on Guam, an Aspiranture was built for young girls who were interested in pursuing the life of the School Sisters of Notre Dame while finishing their high school. In addition, a boarding house was opened at Notre Dame High School for girls from the other islands who were interested in finishing high school.

Following several visitations, the Provincial leaders of the Milwaukee Province decided that Guam was ready to carry on the work of the School Sisters of Notre Dame, and the Guam District was established as a Region of the Milwaukee Province. The Region of Guam, under the leadership of the local Sisters, carried the work of Mother Therese Cerhardinger to the islands of Rota and Saipan, and today they have extended their leadership in education to the islands of Chuuk, Ebeye and Yap. In 1977, the Guam Region became a vital unit of the International Community when Sister Francine Perez was elected a General Councilor of the central governing body of the School Sisters of Notre Dame in Rome. It is also with great personal pride that I note that my godmother, Sister Carmen Francis Siguenza, is a member of this order.

As a fellow educator, I applaud the record of the School Sisters of Notre Dame on their 50th anniversary and thank each and every one of them for their diligence and dedication to our children and to Guam. Si yo'os ma'ase paro todo i che'cho' miyu para I famagu'on-ta yan it taotao-ta guini gi isla-ta.

INTRODUCTION OF A HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS AND THE PRESIDENT TO INCREASE FUNDING FOR THE PELL GRANT AND EXISTING CAMPUS-BASED AID PROGRAMS PRIOR TO FUNDING ANY NEW EDUCATION PROGRAMS

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. McKEON. Mr. Speaker, I rise today to introduce a House Concurrent Resolution calling on the Congress and the President to significantly increase funding for the Pell Grant and Campus-Based Aid programs.

Every year since we gained the majority, Republicans have worked to increase the maximum Pell Grant, and we've worked hard to strengthen higher education programs with a proven track record of success. We have also enacted tax incentives which help working families save for the education of their children, and ease student loan repayment for those who must borrow.

Most importantly, just over 6 months ago, we enacted the Higher Education Amendments of 1998. This vitally important legislation saved the student loan program and cut borrower interest rates; dramatically increased the maximum authorized Pell Grant; and strengthened the Campus-Based Aid programs which provide needy students with grants, work study opportunities, and low-interest loans. This legislation went a long way to achieving our goals of:

Making college more affordable;

Simplifying the student aid system; and

Ensuring academic quality.

In short, we have truly made higher education a priority, and we will continue to do so.

However, I was shocked when the administration sent us a budget proposal along with the proclamation that the doors to college were now open to all Americans. I was surprised to learn that the administration actually believes that it has opened the doors to college for all. I was disappointed with the details of that budget, which cut overall funding for Pell Grants by 3 percent, allowed for only modest growth in the Campus-Based programs, and proposed student loan cuts which Congress had rejected on a bipartisan basis only months before. Instead of supporting these core programs which are proven to work, the administration pursued funding for four new ''designer'' programs, which have not, and probably will never, help one student graduate. In talking to students and educators alike, I know they share my disappointment.

Let's look at the priorities we are setting forth today in this resolution. First, it calls for a $400 increase to the maximum Pell Grant award. The Pell Grant program is the largest and most important Federal need-based higher education grant program. It is a voucher for

higher education, which students can take to an institution of their choosing and use to pursue the type of education that will most benefit them. Every dollar that a student receives from the Pell program is a dollar that won't have to be borrowed. With average student indebtedness now at $9,700, this is more important than ever before.

The Pell Grant program was created in 1972, and currently serves 3.8 million students. In the late 1970's, Pell Grants covered 75 percent of the cost of attending a 4-year public college or university. Today, it covers only 36 percent of that cost. Restoring some of this lost buying power is probably the single most important thing we can do to reassure students from low-income families that college is possible. Funding Pell Grants at the level set forth in the resolution would have the added benefit of making an additional 215,000 students eligible, including 21,000 in my home State of California.

Second, this resolution makes funding for the Campus-Based Aid programs a priority. These programs provide institutions with Federal support for grant, loan, and work study programs. They are need based. However, they do provide financial aid professionals with more flexibility to tailor the aid package to the student's needs. Most importantly, these programs require schools that participate to provide matching funds, which allows us to leverage our investment with private dollars.

Finally, this resolution sets priorities. It says to the President and to the American people that we are serious about funding the financial aid programs we know work, and that we shouldn't create new programs until we meet these commitments.

Mr. Speaker, we are faced with a choice. We can blindly buy the ''program du jour'' on the President's education menu, cooked up by the bureaucrats at the Department of Education, or we can wisely fund the ''meat and potato'' scholarship programs that have put America's students through college for more than a generation.

I urge my colleagues to show their support for America's students, and cosponsor this resolution.

TRIBUTE TO ALONZO MOODY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. PASCRELL. Mr. Speaker, I rise today to pay tribute to Mr. Alonzo Moody of Paterson New Jersey, an exceptional individual who has dedicated his life to public service. He will be honored this Thursday evening, April 8, 1999, by family, friends, and professionals for his outstanding contributions to the community.

Mr. Speaker, Alonzo Moody was born the sixth child to the late Allard Moody, Sr. and Mary Jane Moody. He has been married to his wife Sarah for 28 years and is the proud father of three sons; Malik Ali Angaza, Zatiti Kufaa, and Kwesi Tacuma.

Alonzo earned a Bachelor of Arts degree in the field of Urban Planning from Ramapo College of New Jersey in 1976. He also attended Honolulu Business College from 1968–1969 in Hawaii, majoring in Systems Analysis. He has worked for the Department of Human Resources and the Paterson Youth Services Bureau for the past twenty five years as Executive Director. His responsibilities include supervision and administration of programs, with direct accountability for their use in the community. He also coordinates all youth agency activities within the City of Paterson. Mr. Moody directs and supervises two youth agencies and fifteen staff members.

On October 21, 1998, Mr. Moody was appointed and sworn in as Deputy Mayor of the City of Paterson by the Honorable Mayor Martin G. Barnes. As Deputy Mayor, he oversees issues involving youth, families, and recreation. In March of 1992, Mr. Moody became Director of the Alexander Hamilton Development Resident Management Youth Program. He implemented homework study hour, a variety of recreational activities, counseling services, and other activities for the youth of the Alexander Hamilton Housing Development during the evening hours. Since 1991 Alonzo has been serving as a member of the Paterson Board of Education.

From 1977 until 1989 Alonzo and his wife Sarah have served as Children's Haven House Parents, providing a nurturing and supportive family environment for eight boys ages eight to fourteen placed by the Division of Youth and Family Services.

Alonzo served as an Assistant Basketball Coach at Passaic County Community College in 1979. From 1973 to 1980 he was an administrator for the Children's Shelter, Community Youth Worker Probation Counselor for Passaic County Probation Department and Director of the Youth Summer Twilight Program for the Catholic Youth Organization. From 1966 until 1969 Mr. Moody also served in the United States Air Force, as an Airman First Class.

Many community organizations have benefited from Mr. Moody's participation. He was a former member of the Paterson Task Force for Community Action, Inc.; the Community Action Day Care Center, Inc. Board of Directors; and the Paterson YMCA Board of Directors. He currently serves on the Eastside High School's Home School Council, RISK, NJ Black United Fund; Passaic County Youth Commission; Municipal Drug Alliance; Village Initiative Executive Board, Children's Haven Board of Directors; and the Minority Concerns Committee.

Mr. Speaker, over the years, Mr. Moody has touched the lives of many people in his community. His warmth of spirit and caring nature has inspired an enormous amount of people. We are all gathered here tonight as a testament to Alonzo and to thank him for all that he has done for the well being of his fellow man.

Mr. Speaker, please join me, our colleagues in the United States House of Representatives, Alonzo's family, friends, and colleagues, and the City of Paterson, New Jersey, in commending a truly great man.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. THOMPSON. Mr. Speaker, in my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

BLACK PARENTS FACE SPECIAL CHALLENGES RAISING A SON TO BE A MAN

(By Le Datta Grimes)

LEXINGTON, KY.—Donita Harris is biracial. Her momma is Chinese. Her daddy is black. She grew up in a predominantly white neighborhood near Turfland Mall. Whenever she reflects on her childhood area, one memory is clear: the neighborhood carpool.

Each week, the neighborhood moms took turns driving the local children to school.

One woman, however, refused to pick up Donita and her brother. The woman didn't like black people, Harris said, so she sped past their house.

Harris, now 27, recalls this episode as she looks into the chubby-checked, bright-eyed face of her 4-month-old son, Robert Jr.

'' . . . I just wonder what prejudice will look like 10 to 15 years from now.''

Donita, a social worker, and her husband, Robert Sr., who works at a lamp factory, know that their son will face certain hardships simply because he is a black male.

Their job as Robert Jr.'s parents, they said, is to raise a man capable of withstanding today's stereotypes and achieving success in spite of them.

Raising black males in a society that depicts them as angry, aggressive, lazy and ignorant presents a unique task for black parents, said William Turner, an associate professor of family studies at the University of Kentucky.

While all parents seek to raise healthy, well-adjusted children, black parents raising sons have some additional tasks.

They must teach their sons, Turner said, to navigate and function in a society that sometimes views them through a distorted looking glass.

''There are some extra things that black parents have to teach their kids,'' he said. ''Facts about race and racism are among them.''

Tracey Bartleson is raising two sons, Xavier Spence, 7, and Damone Thompson, 3.

Damone's father and Bartleson are no longer together. Xavier's father lives in Canada.

When life puzzles her sons, it is Bartleson they run to. She works the overnight shift, 11 p.m. to 7 a.m., so she can be home for their questions during the day.

A few months ago, as they were watching Selma, Lord, Selma, a Disney movie depicting the sometimes violent anti-segregation marches that took place three decades ago in Selma, Ala., Bartleson turned her head to see tears streaking Xavier's face.

''Momma?'' he asked. ''Why would people do things like that?'' Bartleson pulled her son into her arms and explained. ''People don't know us from the inside,'' she said rocking him. ''They pass judgment before they know us.''

That's not right, she told him, but it happens. Bartleson handled Xavier's questions on race in a positive, reassuring manner. That's the best way, Turner said, to build self-confidence and self-love.

Defensive statements like, ''You're black and people won't like you for it,'' put children on a path to anger and aggression.

''Finding a way (to discuss race) that isn't traumatic to the child is very important,'' Turner said.

Along with positive conversations about race, parents can build their children's self-esteem by reading with them about and acknowledging black role models.

It is critical that parents do these things early, Turner said, because around age 6, parents lose the ability to control their children's environment.

When children are 6, parents send them to school and into a salad bowl of opinions and ideas tossed by a variety of chefs. Not all of the seasonings are good.

Turner said most boys enter kindergarten excited and overjoyed with their new environment.

He said research shows, however, that this excitement in black males is often interpreted by teachers as problem behavior or hyperactivity.

In their white male counterparts, this same enthusiasm is labeled rambunctious and outgoing.

Like most boys, Xavier hurtled into kindergarten excited. but his enthusiasm dwindled quickly, his mother said.

Shortly after the school year began, Xavier's teachers began sending notes home about his behavior. The notes said he had problems keeping still and that he was disturbing other children, Bartleson said.

She said she knew her son was not a problem child. ''I know my child,'' she said. She then enrolled Xavier in a new school.

The problem, she later discovered, was that Xavier finished his work earlier than the other children, so he had time to cut up. Xavier's new school, Ashland Elementary, challenges him more, Bartleson said, leaving him less time to talk or horse pay. Any additional energy Xavier has, Bartleson channels into extracurricular activities such as piano lessons, basketball and church.

Tobey and Debra Gray of Wilmore, formerly of New York, were married three years ago.

Tobey brought five children to the union from a previous marriage, Debra brought three. They have one child together.

The family lived in a two-bedroom apartment in Manhattan. Though the apartment was crowded, the Grays said the chaos inside the home didn't bother them.

It was the violence outside that kept them awake at night. ''We were in an atmosphere where cursing was the order of the day,'' Tobey Gray said. ''In New York City, there's the opportunity to fall into a whole bunch of mess.''

In addition to the violence, two of their sons, sixth-grader Colin and fourth-grader Trevor, were failing in school.

Many black boys lose interest in school about the fourth grade. This pattern is addressed in the book ''Countering the Conspiracy to Destroy Black Boys.'' by Jawanza Kunjufu.

The phenomenon is called fourth-grade failure syndrome. ''In fourth grade they begin to fail and fail horribly,'' said Nate Sullivan, a social work professor at UK. ''This culminates in dropping out either emotionally or physically from the academic arena.''

Sullivan said black males often detach themselves from academics because they are ignored in the classroom and receive little recognition for their academic achievement.

''The subtle cues you pick up on lead to a self-fulfilling prophecy,'' said Margo Monteith, an assistant professor in UK's department of psychology whose area of expertise is prejudice and stereotypes.

When black males fail to win approval in the classroom, they seek it elsewhere, from their peers, on the streets or on the athletic field, Sullivan said.

Trevor and Colin chose the streets. Colin got into fights and ran away often. Trevor fought and back-talked his teachers. Seeing this, Tobey Gray resolved to get more involved in his sons' lives. Gray had worked two jobs to support his family, so he rarely saw the boys.

''If you don't give them attention, they will stray,'' he said, ''I used to work all kinds of weekends and hours. But I don't do that anymore. It's important to me that they grow up well.''

Gray arranged special getaways with each of his sons. Some days it was a walk in the park with Colin. Other days he'd surprise Trevor and drop by his school for lunch.

''My father was always busy, so I said I'm going to break this cycle,'' Gray said.

Six months ago, the Grays decided New York was no place to raise their kids. Yet, they had nowhere to go.

Debra said she prayed on it and came up with Kentucky. Tobey wasn't sold on the idea.

''You sure God said Kentucky?'' he asked. Debra was sure and the family—Tobey and Debra and five of their children—took an 18-hour bus ride to Kentucky. Tobey is a custodian at Asbury College, and Debra is a substitute teacher. Both want to attend Asbury Theological Seminary someday.

Colin, now 14; Loren, 12; Trevor, 11; Tyler, 4; and Timothy, 17 months, came with them. Tobey and Debra Gray's grown children stayed behind in New York.

Since the family's arrival, Loren said, she has seen a difference in her brothers.

''I think they've matured a lot,'' she said, ''I think now they can be a lot more of themselves because in New York they were trying to be like other people, and down here they can just express themselves.''

The Grays wake up at 5 each morning. After greeting one another with a kiss, they gather in Debra and Tobey's bedroom. There, the family prays for guidance. Their prayer time also doubles as a family circle during which each family member discusses plans for the day.

In the home of Barbara Commodore-Connor, a similar family circle takes place around the dinner table. Whenever a family decision is to be made, Barbara gathers her three sons—Caleb, 10; Joshua, 14, and Maureece, 21—for a family meeting.

At a recent meeting, the issue was Barbara's possible engagement. ''What do you think about Momma marrying Mr. Steve,'' she asked.

The boys then took turns answering. This type of structure and family cohesiveness is essential during the teen years when black males are struggling to carve out their identifies, Turner said.

''I understand parents have stresses that take away quality time, (but) there needs to be family time,'' he said.

As black males mature into their teens, stereotypes about them become more pronounced. Media depictions of black teens dead or on their way to prison send bleak messages to black males about their futures, Turner said.

During the teen years, black males become painfully aware of how others view them: If their pants sag, they are thugs. If they walk in groups, they are a gang. And, if they drive a nice car, they are drug dealers.

Accepting the reality of being stereotyped is not easy, Turner said. But it is never an excuse to give in to the stereotypes and fail. ''They just have to be aware that there will be times when they will be excluded because of race and they will be misjudged,'' he said.

The teen years brought strife to Commodore-Connor's home. When Maureece reached 15 or so, he and his mother began to butt heads: She wanted him in at a certain time; Maureece wanted to stay out late.

She wanted him to go to church; he didn't want to go every Sunday. The central problem, Commodore-Connor later realized, was one of freedom. Maureece wanted it, but she wasn't willing to give it.

''Momma,'' Maureece would tell her, ''I got my own mind.'' His mother said she wasn't ready to hear that, so she became stricter.

And Maureece rebelled more. Finally, Commodore-Connor, a resource specialist in the office of civil rights for Fayette County Schools, said she turned to her big sister Peggy and brother-in-law Ike.

''I felt like I was losing him,'' she said. ''We were having confrontations, and I began to question myself.''

Maureece's Uncle Ike played a big role in helping him navigate the teen years. He gave Maureece advice, spent time with him and helped him communicate with his mother better.

Male role modeling is essential to young black males, Turner said. It can come from church, school, extended family or big brother programs, but the ideal source is a committed father.

''In situations where there is a father engaged, talks come about naturally and the child internalizes it,'' Turner said.

Tobey Gray is teaching his children to love. Whenever the Gray children walk into a room, they are to greet one another with, ''I love you.'' They also must kiss one another good morning and good night.

Gray teaches by example. Wheverver the mood strikes, he smooches his boys on the jaw or the forehead. Colin brought a friend home from school once, and Gray kissed him, too.

''There aren't many men being men today,'' Gray said. ''Women are taking the lead in everything. But, if you want to lead, you got to lead by example.''

In the seven decades since Langston Hughes wrote the poem ''Mother to Son,'' the stairwell to black manhood has remained a steep climb.

Still, that is not a reason to quit scaling the stairs, Turner said.

It is OK to get angry, he said, but it is never OK to quit climbing.

Whether a child leaps the stairs two at time or gives up midway depends on how the child was equipped by his parents.

''Black males are successful when they see a barrier but say 'I'm not going to let this stop me.'''

South Florida's racial, ethnic and cultural landscape transformed—Juliet Masters can see it in their eyes.

That inquisitive look that asks ''What are you?'' The spoken question comes a moment later.

''Wow, I hate being asked that because I don't know what to say,'' said Masters, a 24-year-old special events coordinator who lives in South Miami. ''My first answer is human. Then I say I'm mixed and I tell them that my mother is from England, my father is from Jamaica and I was born in New York. And I ask them what they think.''

In a country that for much of its history has been preoccupied with race, and for generations largely has considered racial and ethnic identity in black and white terms, how to deal with people of mixed heritage is becoming an ever-intriguing question. Because of the nation's changing demographics, it is also one that will help shape the nation's debate on race well into the next century.

The debate is important, philosophically and economically, because how the country views race will shape aspects of life and determine how resources are allocated. Data collected on race will decide such issues as how federal and state governments spend money, where political boundaries begin and end as well as what will be the content of entertainment and marketing campaigns.

The issue is particularly relevant in South Florida, where huge waves of immigrants have transformed the racial, ethnic and cultural landscape in the last three decades.

Today's children are growing up in a country where many of recent immigrants and their offspring do not share the United States' historical notions on race.

Along with the children of mixed marriages, they will be less disposed to accept the premise that people are either black or white.

There are now millions of Americans who claim more than one heritage or whose cultural and ancestral roots lead them to reject the American racial dichotomy, said Roderick Harrison, a demographer for the Joint Center for Political and Economic Studies, a Washington think-tank.

Harrison said his research has revealed an unprecedented change in attitudes about race, especially in metropolitan areas of California, New York, Texas, Illinois, New Jersey and Florida—states that have substantial black, white and Hispanic populations.

Attitudes are changing, he said, because a nation that numerically and conceptually has been divided is becoming more multiracial and multiethnic.

''When people look at a white, black, Hispanic or Asian person 40 years from now I doubt racial or ethnic identity is going to mean the same thing as it means to us,'' Harrison said. ''We won't want complete assimilation but the ability to retain some of our cultures.''

For many people in South Florida, a pluralistic world exists now. Hispanics, for example, generally do not define themselves in terms of race—although they're aware that American culture heavily relies upon it.

''I know it sounds corny, but hopefully, we will reach a day when we talk about each other's culture rather than the color of our skin,'' said Washington Collado, a native of the Dominican Republic who like many people from the Caribbean has a mixed ancestry.

''I never am put in a position where I have to define myself by color,'' said Collado, 36, of Coconut Creek. ''That's a question I don't even know how to answer.''

Collado and his wife, Carmen, want their three sons, Mario, 9, Alejandro, 5, and Miguel, 1, to think of themselves as they do—as Dominicans and Hispanics.

''Without being blinded by the fact that they undoubtedly have to mark a little box that says Hispanic, I don't think my kids see themselves as dark skinned,'' Collado said. ''Skin color is not the most important thing. I would rather my kids know who they are.''

Such an outlook on race is prevalent among many Latin Americans, who prefer to view themselves as a diverse group united by culture and language.

''In their own countries, national identity is so important that racial identity isn't as important,'' said Helen Safa, a retired professor of Anthropology and Latin American Studies at the University of Florida.

''That doesn't mean there is no prejudice and discrimination,'' Safa said. ''There is. But racial identity tends to be subordinated to the national identity.''

Harrison and other demographers say it's possible that future generations of Hispanics and other immigrants of mixed heritage could classify themselves more along racial lines. But it is just as possible that they will not.

For much of the nation's history, however, the racial divide was such that the children of interracial marriages—as well as black immigrants—found a home only in black America.

Moreover, until about three decades ago, 16 states had laws designed to prevent marriages between people of different races. Then, in 1967, the Supreme Court ruled anti-miscegenation laws unconstitutional.

Since then, the climate of intolerance and separation that led to such laws has faded. The number of mixed marriages has steadily risen, as has the number of people of African descent and mixed ancestry who have immigrated to the United States.

But even today, mixed couples often must overcome barriers. Though more common, such unions are not universally accepted. Often, the sternest opposition still comes from family members.

That's what Trayce Denise Santoro, who is black, discovered four years ago when she married her husband Filippo, the son of Italian immigrants.

''His mother and father were completely against it,'' said Santoro, 36, of West Palm Beach. ''They didn't come to the wedding or anything. They didn't want to meet me.''

Since then, however, Santoro's in-laws have warmed to her and she does not hold their feelings against them. Santoro even wants her children, 2-year-old Filippo II and Lena Marina, 3 months, to learn how to speak Italian so they can better enjoy their dual heritage.

When Trayce Santoro looks at her two children, she sees both black and white—the way she hopes they will also will view themselves. That's why she supports the efforts to establish a new multiracial category on the Census and other forms.

''I would prefer them to choose multiracial if biracial isn't on the list or they couldn't choose (both) black and white,'' she said. ''I wouldn't want them to pick one or the other.''

Sociologists say it's no surprise that multiracial and multiethnic people are beginning to reject the nation's outdated racial codes.

Sarah Willie, a professor of sociology and black studies at Swarthmore College in Swarthmore, Pa., outside Philadelphia, said civil rights leaders and black nationalists laid the groundwork for the nation's broader racial and ethnic framework a generation ago.

That African-Americans could celebrate their roots made it possible for today's immigrants to take such pride in their countries of origin.

No longer so intent upon embracing American culture at the expense of their own, many Hispanics and others now proudly display the flag of their homeland on their cars.

''We forget that nobody was putting a flag on their car 30 years ago,'' Willie said. ''That was the tail end of a very explicit assimilationist policy in the U.S.

''Most immigrants subscribed to that at an incredible cost to language and culture. Ties to the past were lost.''

She believes integration and the evolving sense of pride multiracial people have developed in their diverse backgrounds has allowed many to redefine themselves.

''People will still tend to identify with a group,'' said Willie, who has a black and a white mother. ''But they will say I'm black or Latino or Asian—and I have another parent on the other side.''

Allowing people to label themselves as they choose may cause waves, however.

Some Americans—white and black—are offended when they see others stress nationalistic roots.

And black Americans may lift an eyebrow when a person they perceive as black acts as if he or she is something else—a sign that being black in the American sense isn't good enough for them.

But those attitudes, too, will change, said Tanya Simons-Oparah, assistant director for outreach for the Broward County Library.

''If you choose not to want to identify with black people I feel badly for you because I know the riches and the value of being of African descent,'' said Simons-Oparah, 52, an African-American whose parents are from the Bahamas and Panama. ''We can't claim everybody.''

Harrison said the degree to which children of mixed marriages claim ''multiracial'' as an identity will help determine how far the changes in attitude go.

''When we look at some of the earlier success for the multiracial categories (on test Census surveys and school district forms, for example) about 50 percent of the people who exercised that option were under 18,'' Harrison said. It's reflective of the recent acceptance of mixed marriage, he said.

If Masters is any indication, the change in identification will come because biracial offspring don't want to pretend as if one of their two parents doesn't exist. Even if they consider themselves black, as she does.

''I can't possibly choose between them,'' Masters said. ''They're both from very rich cultures and I have to respect them both.''

TRIBUTE TO THE MEDIA

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to recognize Bob Branen and the local newspapers in my district who are helping the refugees of Kosovo. I strongly believe the most effective way to help those in need is through an individual's time and efforts to volunteer at local charities and churches. This works when helping the homeless and hungry in your own community, or when helping the homeless and hungry thousands of miles away in war-torn Kosovo.

Southern Lakes Media, Inc. of Burlington and Walworth Newspapers, Inc. of Walworth have launched a nine-city effort to generate support of those fleeing Kosovo. Bob Branen, president of the newspaper chains, is asking, through editorials and advertisements, for Wisconsin citizens to donate to World Relief, an international assistance organization.

World Relief is working with Albania's churches to assist the men, women and children who were forced to flee their homes without food, water or clothing. This organization is fighting to give these refugees not only material comforts, but spiritual hope as well. The Kosovars, expelled from their homeland by Serbian president Slobodan Milosevic, are finding safety in the open homes and open arms of the people of Tirana. The outpouring of generosity by my neighbors in Wisconsin translates into meaningful action, half a world away, for the victims of the Kosovo conflict.

Mr. Speaker, I want to take this opportunity to honor their extraordinary example and encourage them to continue their efforts and I commend Mr. Branen for the initiative he took to inform his newspaper readers.

TRIBUTE TO ADREA G. COHEN

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of Adrea Cohen of Belleville, New Jersey on this the occasion of her Retirement and Testimonial Dinner. Adrea is being honored tonight because of her 25 years of service to the township of Belleville and the Belleville Public Library and Information Center. It is only fitting that we gather here tonight in her honor, for she epitomizes caring and generosity of spirit.

Adrea Cohen has served as Director of the Belleville Public Library and Information Center since 1993. She began as its Assistant Library Director in 1974 after completing her

second Masters Degree in Library Science from Pratt Institute. Cohen also holds a Master's Degree in History from Montclair State University. She has taken graduate courses in history at Harvard University, where she was schooled under the President of the Library of Congress.

Adrea was formerly a tenured teacher of English, history, and literature in the City of Passaic, from 1958 to 1964, a school librarian in the City of Passaic from 1964 to 1966, she was a supervisor of student teachers for Montclair State University, and a teacher of ESL (English as a Second Language) and she also taught English in the Wayne and Passaic Adult Schools for 15 years.

Many people in the community of Belleville, New Jersey have benefited from Adrea's vast commitment to civil programs. She has been made a Paul Harris Fellow by the Rotary Club, as well as served as their public relations chair. She was the literature chair of the Woman's Club, and Vice-President of the Chamber of Commerce. She is a past president of Zonta International of the Greater Wayne area. She has served as president of the administration section of NJLA and is still an active member of the first regional library cooperative.

She has served as president of libraries in focus, a Cablevision consortium for Essex County libraries and has actively videotaped over one hundred programs at the library for the past ten years, which have appeared on local cablevision. She has also held a yearly Martin Luther King, Jr. event at School No. 9 in Paterson, New Jersey, and has worked closely with local artists and photographers whose work she has displayed in the library.

In the spring, Adrea will be honored by Kappa Delta Phi, New York University, as Educator of the Year for her library directorship and contributions to the community. The award will be presented to her by the United States Ambassador and deputy governor, Dr. Inez Bull.

Adrea has been married to Roy Cohen for 37 years, and has two children, Pamela and Bonnie Cohen.

Mr. Speaker, I ask that you please join me, our colleagues in the United States House of Representatives, Adrea's family, friends, and coworkers, the Belleville Library and Information Center, and Township of Belleville, New Jersey, in thanking Mrs. Adrea Cohen for all her years of service to the community and congratulating her on her well deserved retirement, her presence will be greatly missed.

REGARDING THE SBC-AMERITECH MERGER

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. JACKSON of Illinois. Mr. Speaker, there have been a number of recent, very positive developments involving the proposed merger of Ameritech and SBC Communications. I was delighted when the Justice Department gave its green light to the merger on March 23rd. This approval followed a thorough review by the Justice Department and confirms that the merger is not anti-competitive.

The merger approval by DOJ was followed by a favorable recommendation from a hearing examiner for the Illinois Commerce Commission. Then, just last week, the Public Utility Commission of Ohio formally voted to approve the merger. I would also note that the Rainbow-PUSH Coalition endorsed the merger on March 29th. In announcing its support, the Coalition said, ''Rainbow PUSH found that these companies are truly concerned about implementing corporate practices that favor workers and consumers, creating employment opportunities and fostering small business growth.'' Additionally, the Coalition pointed out that the merger enjoys strong, broad-based support from organized labor.

Ameritech announced on April 6th that, consistent with the conditions imposed on the merger by the Justice Department, it was selling half of its cellular properties to GTE Corp. for about $3.3 billion. One of GTE's principal allies in this transaction is Georgetown Partners, a minority owned and operated company. Assuming the merger is approved, Georgetown Partners will become one of the most significant minority-owned communications firms in the United States.

While all of these developments are extremely positive, Mr. Speaker, I must express my strong concern over FCC Chairman Bill Kennard's recent action adding a new, and unprecedented, hearing process to the Commission's deliberations on the Ameritech-SBC merger. I appreciate the Chairman's desire for thoroughness, but I must question the fairness of injecting such a process in a deliberation that has now been before the FCC for almost eleven months.

In conclusion, I would note that as long as this merger remains in limbo before the FCC, it substantially harms the competitive positions of both companies in the national and international markets. I hope we keep in mind that, between them, Ameritech and SBC employ more than 200,000 people. Many of these people are my constituents in the 2nd District of Illinois. I strongly encourage the FCC to consider the Ameritech-SBC merger with the same efficiency and fairness that it has considered other recent mergers in the highly competitive telecommunications industry.

DOLLARS TO THE CLASSROOM

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. PITTS. Mr. Speaker, today at a news conference, Senator TIM HUTCHINSON and I reintroduced the Dollars to the Classroom Act, a bill to benefit school children and teachers all across this country.

The Dollars to the Classroom Act will direct federal funding for elementary and secondary education directly to the states, requiring that 95% of K–12 funding reach classrooms and teachers. This Act passed the House in the 105th Congress 212–198. Joining us today in support of the bill were seventh and eighth-grade students from Charles Patton Middle School in Unionville, PA, along with their teachers, Math and History teacher Shannon Tate and Spanish teacher Christine Bailey. Maryland public school administrator Stephen Wallis also spoke on behalf of the legislation.

Senator HUTCHINSON and I have been working on this legislation because we believe in the importance of doing all that we can to improve the academic achievement of our public school children. How do we accomplish that? We believe that empowering the teachers and bolstering the classroom resources of our kids directly improves their learning process. One of the young middle school students presented the need for the Dollars to the Classroom Act better than anyone else could. Seventh-grader Cole Allen said, ''The geography books that we use were printed when our teacher was in eighth grade. Well a lot has changed since then. They should be called 'The Geography of the world as it was 13 years ago.' '' As Cole pointed out, many teachers use their own funds to buy tools for their classrooms, because so much of education funding gets eaten up before it makes it to the classroom.

When we think of our childrens' efforts to learn, we often think of the tools that go into forming and shaping their young minds: tools like books, classrooms, computers . . . and things like flash cards, spelling tests, and calculators. Yet, many of our federal dollars that go to elementary and secondary education do not reach our kids. That's why we've come up with the Dollars to the Classroom Act. This is a simple concept. Instead of keeping education dollars here in Washington, let's ensure that 95 cents on every federal dollar is sent directly to parents, teachers, and principals who are truly helping our children in the learning process.

Passage of the Dollars to the Classroom Act would mean $870 million in new dollars for school children across the country. That means an additional $10,000 for each public school in America. That also translates into $450 for every class in America.

This is a common sense step in our efforts to improve public education for the students of the next millennium.

THE WOMEN'S BUSINESS CENTERS SUSTAINABILITY ACT OF 1999

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. UDALL of New Mexico. Mr. Speaker, today I rise to introduce the Women's Business Centers Sustainability Act of 1999.

Over the past few decades the contribution of women-owned businesses to our economy has grown exponentially. Today, the 8 million women-owned firms in this country contribute more than $2.3 trillion annually to the U.S. economy and offer jobs to one out of every five U.S. workers. Moreover, women-owned businesses are now starting at twice the rate of all other businesses in the United States, and, by the year 2000, it is expected that nearly one out of every two businesses will be owned by a woman. In my home state of New Mexico, in particular, women-owned firms account for 41 percent of all businesses, provide employment for over 35 percent of the state's workforce, and generate 21 percent of all sales. This success is even more remarkable in that it ranks New Mexico third of all the states in women-owned business incorporations—a statistic that identifies women-owned firms as an important part of New Mexico's efforts to improve the lives of all its residents.

One of the efforts responsible for the success of women-owned businesses is the Small Business Administration's Women's Business Center program. Currently, there are 59 centers in 36 states, the District of Columbia and Puerto Rico. These centers provide technical assistance, business information and counseling, and other specialized assistance to socially and economically disadvantaged women entrepreneurs. The services provided by women's business centers include assistance in gaining access to capital, procuring government contracts, and helping women to work their way off public assistance. In New Mexico alone, the six women's business centers run by the Women's Economic Self-Sufficiency Team (WESST Corp.), facilitated the start-up and growth of over 600 small businesses, provided technical assistance to over 3,500 client firms, and conducted business-training activities for over 6,000 individuals. Most importantly, 81 percent of the clientele of these women's business centers have been low-income individuals and 47 percent have been women of color.

The impact of women's business centers in New Mexico is illustrated through a number of success stories that were told by Agnes Noonan, Executive Director of the WESST Corp., during a recent hearing on women's business centers:

Heidi Monotya's desire to run her own firm grew out of the frustrations of working for years as a draftsperson for a company which offered few benefits and no retirement opportunities. In 1989, Heidi took the leap, opening Builders Hardware of New Mexico, which sells commercial grade doors and frames and finish hardware. Heidi and WESST Corp. joined forces when Heidi attended an orientation meeting, and WESST Corp. granted Heidi a loan for a computer that enabled her to create a presence on the Internet and market more effectively to government agencies. Since 1993, Builders Hardware's gross sales have increased by 129 percent. A single mother, Heidi maintains a second office at home for after-school hours.

Two years ago, Diane Barrett was receiving food stamps, sleeping on a friend's floor and struggling to provide for her son. But she also had a background as a chef. In 1996, Diane approached WESST Corp.'s regional office in Las Cruces, which helped her create a business plan and receive a $5,000 loan to open a bakery and café. Since then, Diane has expanded the seating area, added a dinner menu, and is currently employing 19 people. In 1998, Diane's Bakery and Café was selected as the Mainstreet Business of the Year in Silver City, New Mexico. Recently interviewed by the Travel Section of the New York Times, Diane is a great example of how hard work and commitment to a business pays off.

Norma Gomez, a native of Mexico, came to the United States in the 1980s. On welfare, with three children and limited proficiency with English, Norma had difficulty being taken seriously when the opportunity arose to open her own business. With her small savings, she opened her shop in a strip mall in Farmington, only to find the overhead exceeded her income. She came to WESST Corp. for help with planning, marketing and financing assistance. With technical assistance from WESST Corp., Norma relocated, adopted an inventory tracking system, and developed a long-term business plan. WESST Corp. also convinced suppliers to provide Norma with accounts and better terms. The result of these efforts was a 300% increase in profits in the first year.

Agnes Cordova, of Taos, New Mexico, has combined her cultural heritage with business acumen to create ''Sube!''—a multimedia, bilingual educational program designed to teach Spanish to preschool and early elementary children. The set of flashcards, board game, videotapes with original music, and computer software have all been well received in the local area and plans are being hatched for broader marketing efforts. Each component is offered separately so that parents can afford the educational supplies that can supplement formal language education. Agnes is now planning to develop materials for older kids as well. By matching her heritage with business opportunity, Agnes is creating economic opportunity for herself and helping to preserve the unique culture of northern New Mexico.

Nevertheless, in spite of their demonstrated contributions to the national economy and to individual women—recent surveys and testimonials have highlighted that many women's business centers have been forced to cut back on services or prematurely close their doors when they lose the support of the Small Business Administration's Office of Women's Business Ownership. Today, 25 percent of the women's business centers initially funded by the SBA are closed—and of this 25 percent, many are only partly operational. In fact, while several of the WESST Corp. sites in New Mexico have already lost SBA funding and have been able to continue providing programs, others have suffered considerably in their work due to the loss of support.

To address this problem, I am introducing the Women's Business Centers Sustainability Act of 1999. This legislation will allow recompetition for Federal funding by Women's Business Centers which have completed a funding term, and will raise the authorization of appropriations for FY 2000 and FY 2001 Women Business Center funding from $11 million to $12 million per year. Additionally, the legislation will reserve 60 percent of these appropriations for grants to new centers—to continue to promote women's business centers in more communities throughout the nation as well as to ensure adequate, continuing support for established, effective centers.

The Women's Business Center program has helped countless women start and expand their own businesses. It is vital that we continue to support this valuable program. I invite and encourage all of my fellow Members of Congress to join me in supporting this program.

INTRODUCTION OF RESOLUTION ON PELL GRANT FUNDING

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. CASTLE. Mr. Speaker, I am pleased to join with my colleagues on the Committee on Education and the Workforce to introduce a resolution urging Congress and the President to increase funding for the Pell Grant Program and existing Campus-Based Aid Programs.

The Pell Grant Program was first authorized in 1972 in the Higher Education Act Amendments.It has become the largest need-based federal higher education scholarship program and is considered the foundation for all federal student aid. The purpose of the Pell Grant Program is to assist students from low income families who would not otherwise be financially able to attend a postsecondary institution by providing grants to students to pay the costs of attending the college of their choice. In the late 1970s, the Pell Grant Program covered 75 percent of the average cost of attending a public 4-year college. By the late 1990s, however, it has only covered 36 percent of the cost of attending a public 4-year college.

Families across the country are concerned about the rising cost of a college education, and for children from low income families, the cost of college continues to be an overwhelming factor in their decision not to attend. Children from high income families are almost twice as likely to enroll in college as compared with children from low income families. This is particularly noteworthy given the fact that higher education promotes economic opportunity for individuals and economic competitiveness for our nation. The Pell Grant Programs and Campus-Based Aid Programs help to begin to fill the cost gaps that will, in turn, encourage students from low income families to attend college.

Over the past few years, I have been pleased to support an increase in the Pell Grant maximum. Last year, under the Higher Education Amendments, the Committee on Education and the Workforce increased the authorization to a maximum grant level of $4,500 for 1999–2000, with annual increases of least $300 thereafter. However, the maximum Pell Grant appropriated has historically not kept pace with inflation and when college tuition increases are factored in, the buying power of the Pell Grant has been significantly reduced.

Providing access to higher education for students across the nation is vitally important, and while I believe that colleges have the primary responsibility of ensuring that rate increases are fair and reasonable, I also believe that the Federal Government should assist students when postsecondary education is out of their reach.

I am pleased to join with my colleagues today who believe that need based grant aid for low-income students must be our number one priority in higher education funding.

H.C. BERGER BREWING COMPANY OF COLORADO

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SCHAFFER. Mr. Speaker, last week, I visited several small businesses in Fort Collins, Colorado involved in beer making. Northern Colorado is fast becoming known for its growing number of high-quality, small brewers, in addition to being home of America's largest breweries.

Beer is a significant industry in Colorado's Fourth Congressional district supporting agriculture suppliers, farmers, shippers, and others. Among the manufacturers I visited was the H.C. Berger Brewing Company of Fort Collins.

Mr. Speaker, the H.C. Berger Brewing Company, rapidly establishing a name throughout much of the U.S. as a maker of superior quality beers, finds its strength in family tradition. Owners Peter and Bob Davidoff trace their family's culinary roots back to the Café Schiller in turn-of-the-century Berlin; at one time,

their grandfather owned Central Park's famous Tavern on the Green Restaurant. The name of the brewery is traced to an old German Brewmaster from the early 1900's. This sense of history and a resolute commitment to excellence have fueled H.C. Berger's expansion in the booming microbrewery market.

H.C. Berger opened in Fort Collins, Colorado, in the spring of 1992. In its first year, the company sales were 930 bbls, all to the Fort Collins area. The brewery now (1996) sells in excess of 5500 bbls a year to buyers throughout Colorado, Wyoming, Ohio, Texas, Kentucky, Illinois, Michigan, and London, England. Plant expansion, completed during the summer of 1996, provided a new capacity of 25,000 barrels a year, while still maintaining the high H.C. Berger standards of quality. Bob Davidoff handles all Distributor relations and sales both in Colorado and the rest of the United States. Peter Davidoff handles brewery operations and marketing.

H.C. Berger beverages are brewed in both American and German styles using blended malts to produce truly outstanding microbrewed beers and ales. H.C. Berger creates beers with the care and dedication of a vintner, and like a great wine, the company has flourished with age.

Mr. Speaker, here are a few key facts about the brewery.

H.C. Berger Brewing Company was founded in 1992 in Fort Collins, Colorado.

Web site: www.hcberger.com

Since its opening in 1992, the company has expanded sales from the Fort Collins area to all of Colorado, as well as Wyoming, Ohio, Illinois, Texas, Kansas, Kentucky, North Carolina, Indiana, Virginia, North Dakota, South Carolina, Georgia, Michigan, Pennsylvania, and Minnesota.

Recent plant expansion increases the brewery's capability to 25,000 barrels a year. H.C. Berger offers a stellar selection of beers and ales under its label, including Whistlepin Wheat, Mountain Kölch, Indégo Pale Ale, Red Banshee Ale, Chocolate Stout, Red Raspberry Wheat as well as several specialty and seasonal ales.

During 1996, H.C. Berger launched their high-end Grand Crù Brewmaster's Choice Dunkel, Kölsch, and Stout. The Brewmaster's Choice label also includes seasonal specialties such as Maibock (in May) Dopplebock (fall), and smoke beer (Rauchbier)—ideal beverages for fine dining establishments.

Mr. Speaker, I commend the Davidoff brothers for their community leadership and business success. The fine employees at H.C. Berger are committed to the Fort Collins community and dedicated to the craft of beer making. I deeply appreciate the time they spent to help me better understand the small brewery business and the many contributions H.C. Berger Brewing Company makes to Colorado's superior quality of life.

CONGRATULATIONS TO NATIONAL AP SCHOLARS FROM THE 41ST CONGRESSIONAL DISTRICT

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. GARY MILLER of California. Mr. Speaker, I rise today to congratulate 15 outstanding students from my district who have been recognized as ''National AP Scholars.'' This is no small accomplishment. Out of 635,000 students who took Advanced Placement (AP) exams last year, only 1,451 of them have earned the distinction of being named a ''National AP Scholar.'' That puts them in the top .2 percent of all high school students taking Advanced Placement exams.

I am proud that such a large group of the students who have earned this national distinction live in the 41st Congressional District.

David M. Kallemeyn from the City of Upland, Von P. Fernandes from the City of Chino Hills, Fred J. Freeman from the City of Yorba Linda, Matthew G. Lee from the City of Yorba Linda, Don Wang from the City of Upland, Jacqueline T. Kung from the City of Yorba Linda, Adam S. Feffer from the City of Upland, William A. Therien from the City of Upland, Vijaya K. Reddy from the City of Chino Hills, Nicholas G. Genesta from the City of Pomona, Omri M. Ceren from the City of Ontario, Gilpeter M. Layugan from the City of Pomona, Jeremy N. Wong from the City of Rowland Heights, Christopher Lau from the City of Diamond Bar and Brinda Balakrishnan from the City of Upland are ''National AP Scholars.''

I know that their families and their teachers are proud of their academic accomplishments and their hard work.

RECOGNIZING THE ROCK AQUA JAYS PARTICIPATION IN THE ''1999 ZEHENG CHANG CUP,'' AMERICAN WATER SKI STAR SHOW & SINO–AMERICAN WATER SKI COMPETITION IN JIANGSU PROVINCE, CHINA

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to highlight the remarkable accomplishments of the Rock Aqua Jays, a water ski show team from my hometown of Janesville, Wisconsin. The Rock Aqua Jays have been source of entertainment and pride for the people of Southern Wisconsin for several decades.

Their membership includes over 210 people ranging in ages from 1 to 70 years old. The Aqua Jays have won a record 11 U.S. National Show Championships titles, placed first or second in every National Show Tournament from 1979 through 1997, and hold a record of 5 Triple Crown Championships.

In view of their accomplishments, the Rock Aqua Jays have been invited to represent the United States at the ''1999 Zheng Chang Cup,'' American Water Ski Star Show & Sino-American Water Ski Competition in Jiangsu Province, China.

The members of the team are scheduled to participate in the 6-day program which is scheduled from April 27 through May 2. Show Director Tim Cullen and Event Coordinator Gerry Luiting will also be joining them for this first ever competition.

The team will perform a number demanding water ski maneuvers through individual and group competitions. It is a credit to their hard work, training, and the community support the Rock Aqua Jays' have received, that they have been asked to perform at this competition.

With attendance estimated between 50,000 to 80,000, this will be the first American ski show team ever to visit and perform in China. The event is sponsored in conjunction with the Chinese Water Ski Association and serves as part of a celebration recognizing the 20th anniversary of diplomatic relations between China and the United States.

Considering the Aqua Jays past successes, I believe their Chinese counterparts will have some stiff competition. In the broader scope of things, however, I hope this trip to China will be the first of many for this talented team.

It is an honor for anyone to represent their nation abroad and I am confident the Aqua Jays will serve our country well. I wish them the best luck and hope that they develop many lasting friendships from their visit to China. They are a credit to their community and to the United States.

A TRIBUTE TO MAGGIE STEWART

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention today the fine work and outstanding public service of my very dear friend, Maggie Stewart. Maggie will be recognized by a grateful community for her many years of volunteer service to the San Bernardino County Republican Federation of Republican Women with a tree planting ceremony in her honor on Friday, April 30.

Maggie Stewart has been actively involved in local Republican Party politics for over 40 years. During this time, she has successfully promoted candidates for every conceivable elective office including the school board, city council, well as many state and federal legislative offices. Over the years, she has shown enormous dedication and gained the enduring respect of many people within the Republican Party.

Maggie began her service as a member of the Republican State Central Committee in 1954. Since that time—for over 45 years—she has served in every conceivable capacity with the California Republican Party including chairman of the San Bernardino County Republican Party. In my mind, no one has done more to advance the goals of the Party at the local level. Maggie's work and commitment has also been particularly instrumental to the long-term success of the San Bernardino County Federation of Republican Women.

Over the years, Maggie has been widely recognized for her contributions to our local community. She has received numerous awards for her leadership roles by such varied groups as the Old Baldy Boy Scout Council, Ontario Lioness Club, Kiwanis Club of Upland, Soroptimist Club of Ontario, the West End Chapter of the National Conference of Christians and Jews, the Inland Empire Chapter of Public Relations Society of America, and the California State Assembly, among others.

Mr. Speaker, I ask you and our colleagues to join me in recognizing the tremendous contributions of this remarkable woman. Maggie Stewart has made a difference in the lives of so many people in our local community and I

am grateful beyond words for her long and dedicated service. I want to wish Maggie and her husband of 52 years, Walter, much good health and happiness in the coming years. I remain confident that the tree planted in her honor will, like the Party she has guided for years, grow and prosper for many years to come.

THE PASSING OF ISADORE KARTEN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. GILMAN. Mr. Speaker, it is my sad duty to inform my colleagues of the passing of a remarkable American, one I was honored to have as a close friend.

As a youth, Izzy Karten was a freedom fighter in the forests near Lvov, in his beloved homeland of Poland. The brave stance the Jews and other oppressed minorities in Poland had taken against their Nazi oppressors, while the Red Army watched nearby, refusing to help, is one of the most heroic yet tragic episodes of the 20th Century. I am proud to have known and been a friend of one of these courageous heroes, Izzy Karten.

Izzy spent two years in the forests of Poland, fighting the Nazi oppressors. It was there that he met another freedom fighter, a young girl named Julie, who soon became his beloved wife of over 54 years.

Upon emigrating to America, Izzy Karten started what became a highly successful export-import business and subsequently became a banker. Despite his phenomental success in business, Izzy never forgot his roots or his desire to help others. He was involved in a host of philanthropic activities, including Yad Vashen, the national organization of Holocaust Survivors. He was a trustee at the Park East Synagogue, and was especially generous in endowing its day school.

Julie and Izzy were the proud parents of three children: Marsha Toledano, Bernice Bookhammer, and Harry Karten. Izzy and Julie's three children presented them with seven grandchildren who were the light of their lives.

Georgia and I always cherished being with the Kartens, and their family. Our lives were deeply enriched by our friendship with Izzy and Julie. Sadly, I was with Izzy at a Holocaust Memorial Service in Rockland County just a few hours prior to his sudden death.

I will always remember Izzy Karten as a warm hearted, philanthropic humanitarian, with a bright view for the future, and a champion in the battle against bigotry and for human rights.

Mr. Speaker, the funeral for Isadore Karten will be held at his beloved Park East Synagogue on Wednesday of this week. I invite my colleagues to join me in paying homage to a truly remarkable human being, who will be sorely missed.

WILLIAM F. (BILL) CODY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. MURTHA. Mr. Speaker, on April 1, 1999, William F. (Bill) Cody completed a distinguished career with the General Dynamics Corporation. His outstanding work played a major role in insuring the national security of the United States of America. He was a driving force in the development, fielding, and support for the Abrams M1A1 and M1A2 main battle tanks for the U.S. Army. These main battle tanks have been proven to be the world's finest in the recent Desert Storm war, and will be the cornerstone of our Nation's ground combat forces for many years to come. Mr. Cody's contributions to the Abrams tank program were marked with great wisdom, total dedication, and tenacious hard work to get the job done right despite the obstacles encountered.

Prior to his outstanding career with General Dynamics, Mr. Cody further served his country for 30 years in the U.S. Army. He began his military service as a cadet at the United States Military Academy in 1952 and was commissioned as a 2d Lt., Field Artillery upon his graduation in 1956. While a cadet, Mr. Cody excelled in various leadership capacities, and was an outstanding baseball and football player. During his Army career, Bill Cody progressed rapidly through the ranks while holding many important command and staff positions to include combat in Vietnam. He was decorated for bravery several times and received numerous meritorious service awards for his outstanding service. He completed his outstanding military career with particular distinction and honor in the grade of Colonel, U.S. Army.

Bill Cody has served his country with distinction in both a civilian and military capacity for nearly 47 years. He is a man of rare ability and devotion to his country. We salute him on his retirement, and wish him the best in his well-deserved retirement, and thank him for his dedicated service to his country.

HONORING DOMINIC DRAGISICH OF WEIRTON, WEST VIRGINIA

HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. MOLLOHAN. Mr. Speaker, I am pleased to congratulate Mr. Dominic Dragisich of Weirton, West Virginia, for his award-winning entry in the Veterans of Foreign Wars' Voice of Democracy Contest. His script is entitled "My Service to America." I submit for the RECORD the text of his entry, and commend the VFW for making the Voice of Democracy scholarship program available to students across our Nation.

MY SERVICE TO AMERICA

"Ask not what your country can do for you—ask what you can do for your country." With these words during his Inaugural address in 1961, President John F. Kennedy challenged every citizen to serve America.

Today, the world is a very different place. The changes that have occurred since those words were spoken are phenomenal. Yet, the changes that lie ahead will be greater. Therefore, his challenge to serve America is even more timely today.

I can best serve America by preparing myself to meet the challenges that face us. We must retain those values and institutions that have made America great, but we must be willing to change and accept new ideas that meet the challenges of the information age. The ability to adapt to change will determine our success. To survive we must adapt, to adapt we must change.

Today, being a teenager and a high school student is no easy task. We live in a high tech information based society where we are bombarded by negative influences on a daily basis. "What's wrong with this young generation" seems to be the question of the day—everyday. It's the same question that has been asked throughout history, and I believe the answer remains the same—NOTHING is wrong. I believe my generation is ready, willing, and able to serve America, just as well as those who preceded us. I know I am.

For me, it may be a little easier because of the foundation laid by my family. My ancestors immigrated to America in search of freedom and a better life. They brought with them a tradition of hard work, discipline, strong family values, and spirituality. I am fortunate that my parents passed them on to me. They challenged me to grow intellectually, emotionally, and spiritually. They gave me a value system founded upon high moral and ethical standards. By example, they showed me that we have a responsibility to give something back to our communities, especially to those less fortunate. I can serve America by following their example and by passing it on to others.

Today, America still represents hope throughout the world. Where there is repression, persecution, poverty, or a lack of human rights, America continues to be a symbol of freedom and liberty. I can serve America by helping to preserve those ideals and share them with others. I can also serve America by setting a positive example for my peers to follow and by helping them when needed.

America faces enormous challenges in our global economy. I can help her meet those challenges by pursuing academic excellence and by refining my leadership skills. My parents stressed the importance of academics and the powerful role that knowledge will play in the future. They planted the seeds of leadership within me and nurtured their growth. It is now my responsibility to further develop them.

We must always remember that many people are quick to follow; therefore, leadership is a responsibility that should not be taken lightly. It requires creativity, imagination, courage, decisiveness, and confidence. Leaders must have the courage to make decisions based on what is right. Leaders must be assertive but patient. They must be skilled listeners and effective mediators. They must be confident but not arrogant. Finally, they must be able to accept responsibility, acknowledge their faults, admit their mistakes, and learn from them.

I can serve America by developing these skills and by accepting a leadership role in her future. However, to preserve the future, we must never forget those who gave us the America we have today.

President Kennedy's Inaugural Address also contained the following words: "Since America was founded, each generation has been summoned to give testimony to its national loyalty. The graves of young Americans, who answered the call to serve, surround the globe."

One day the torch will be passed to my generation. We too will proclaim our loyalty.

We will be ready to serve. However, we will retain our readiness only if we continue to honor and respect those who paid the ultimate sacrifice so that we could live to serve America and perpetuate the ideals she represents.

THE UNDERWATER ADVENTURE SEEKERS CELEBRATE THEIR FORTIETH ANNIVERSARY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Ms. NORTON. Mr. Speaker, I rise today to invite the Members of this body to join me in saluting the Underwater Adventure Seekers (UAS) as they celebrate forty years in the District of Columbia.

UAS was established in the District of Columbia on February 25, 1959 for the purpose of offering water safety and skin and SCUBA diving training to African-Americans in the metropolitan area during a period in this country's development when such training was not available to African-Americans or other minorities through the usual industry venues.

UAS is and always has been, an organization that welcomes people of all backgrounds. It has trained more than 1,700 people in the sports of skin and SCUBA diving. Additionally, UAS contributes thousands of hours of volunteer service to the community by sponsoring field trips for marine science students at the University of the District of Columbia; providing 2-year scholarships in marine science or oceanography to District residents; providing instruction in swimming and other water activities for persons of all ages; and providing safety divers for the President's Cup Regatta. The UAS also provides rescue divers to assist federal and local agencies during emergencies when there is a critical need for trained, experienced divers.

Mr. Speaker, I applaud the achievements and commitment of the UAS to promoting water safety, conserving aquatic life, and providing services to the citizens of the District of Columbia.

IN HONOR OF WORCESTER COUNTY SHERIFF JOHN ''MIKE'' FLYNN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. MCGOVERN. Mr. Speaker, I rise today to pay tribute to a true legend in Massachusetts politics, Worcester County Sheriff John ''Mike'' Flynn. On Sunday, April 11, Sheriff Flynn was honored at the Grafton Democratic Town Committee's Froment-Moroney Memorial Breakfast, where he was presented the Froment-Moroney Leadership by Action award.

Mr. Speaker, in many ways the name of that award sums up Mike Flynn—Leadership by Action. Sheriff Flynn has been an integral part of the Worcester County Sheriff's Department for 36 years, and in that time he has helped the Department become a model for effective corrections and law enforcement policy. In 1973, Sheriff Flynn was involved in the planning, construction and successful occupancy of the Worcester County Jail and House of Correction in West Boylston. In 1990, he oversaw the planning and construction of a 300-bed modular facility. He currently supervises a staff of over 650, many of whom are veterans.

Indeed, Sheriff Flynn himself served his country in the military, earning distinction in World War II in the Asian-Pacific Theater. By risking his life for our freedom, Mike Flynn displayed true leadership by action.

Beyond his duties as Sheriff, Mike Flynn has been extraordinarily active in volunteer and community service. In addition to his involvement with the American Legion and the Veterans of Foreign Wars, Sheriff Flynn has dedicated his time, his energy and his very big heart to the Mercy Center, a facility for developmentally handicapped children in our community. Through his work, the difficult lives of these young people have been made less difficult. I cannot think of a better definition of leadership, not just by action, but by compassion and decency.

Mike Flynn has a favorite expression—''Only in America.'' Only in America could the son of a steamfitter get such a tremendous opportunity to serve his family, his community, and his country. Sheriff Flynn has seized that opportunity and made the most of it.

Through all of this, Mike's wife Joan has been an invaluable partner and companion. Their six children and four grandchildren provide them with immense joy, and Sheriff Flynn would be the first to tell you that family always comes first.

Mr. Speaker, I know the entire House joins me in congratulating Worcester County Sheriff Mike Flynn on receiving the Froment-Moroney Leadership by Action award and for his decades of public service.

HONORING THE CAMPANIA CLUB FOR OUTSTANDING SERVICE TO THE COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to congratulate the Campania Club of New Haven on its 85th Anniversary. An Italian-American organization, the Campania Club has been a tremendous asset to the New Haven community since its inception in 1914.

Founded by a small group of Italian immigrants, members have worked to promote strong family values. These values—love for family and friends, the importance of giving to others, a commitment to hard work are the foundation upon which our community stands. These are the values passed on from generation to generation. Though it began as a small neighborhood gathering, the Campania Club has grown and developed into an integral part of the foundation on which the New Haven Italian-American community stands. The Italian neighborhood where I grew up was a place where people knew each other, and looked out for each other. It's great to see that things haven't changed.

The strength and integrity of the club lies in the character and commitment of its members, and the historical list of club members' names, past and present, are a true reflection of the quality of the Campania Club. Over the years, membership lists have included many local officials and personalities including former Mayor William C. Celantano, as well as his brother 1967 Man of the Year, Dr. Luca Celentano. Local personalities included Packy DeFonzo and Joseph DeGale for whom the DeGale Trophy was named. Considering a major award in the athletic field, for years the DeGale Trophy was presented to an outstanding city athlete. As the organization has grown, Club members continue to serve the community by supporting a variety of service organizations, including the Boy Scouts and Girl Scouts, as well as local businesses and sports teams. It is this type of dedication that has kept alive the close-knit New Haven Italian community, passing on the legacy and traditions to the next generation.

The Campania Club has strived to promote family values while continuing to foster a proud Italian heritage. It is with great pride that I stand before you today to honor the Campania Club and its members for 85 years of outstanding service to the New Haven community.

''MY SERVICE TO AMERICA''

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. HOEFFEL. Mr. Speaker, I am here today to recognize and honor Eleanor Forbes. She is the recipient of the 1998–1999 VFW Voice of Democracy Scholarship Competition. Eleanor wrote a very moving and patriotic account of American democracy. I ask that the text of her script be inserted into the RECORD in its entirety at the completion of my remarks. Once again, I am proud to recognize Ms. Eleanor Forbes.

''MY SERVICE TO AMERICA''—1998–1999 VFW VOICE OF DEMOCRACY SCHOLARSHIP COMPETITION

(Pennsylvania Winner—Eleanor Forbes)

The voice you hear now is the voice of an American, a proud American. This same voice pledges allegiance to our flag every morning, and sings proudly along with our national anthem when it is played. I am fifteen years old. I do not have the resources to go out and change the world. I do not have the money to give to all my fellow Americans who need it, nor am I old enough to run for president or serve my country in a war. But these are not the only ways I can serve my country. My service to America is expressed in many other ways.

America has provided me with numerous opportunities for which I am grateful. I have the opportunities of education, participation in athletics, work, art and music, among other things. It is my duty as an American to grasp these opportunities firmly now, in my teenage years, so that I can give back to my country later in life. I owe it to America to be the best student I can be, to learn how to write and speak properly, to spell correctly, and to read the intricate works of the great American writers. I must learn to appreciate the artistic and musical works of the great American artists, and learn mathematics, science and history. It is my duty to visit the numerous places that make up American history books; to climb the steep

steps of the Statue of Liberty and feel the warmth of heart that the immigrants felt when they first arrived in America. I need to look at the Liberty Bell with glistening eyes and understand its full meaning. To be a good American in the future, I must learn, understand, and accept all of America's past.

Right now, the opportunities to serve my country are limited, but are, by no means, small. For the land itself, I recycle, I put trash in the trashcans to keep our streets clean. I plant trees to keep our environment healthy. For my fellow citizens I keep myself clean and presentable, I work hard for my money, and buy American products. I do not judge others in an unjust manner, if at all. I abide by the great laws of the country, and I keep myself up to date with the current affairs of America. After all the opportunities and services that America will have provided me by the time I am twenty years old, I will be obliged, not by law but by choice, to give back. I feel that the best way to help America is to help others in the name of my country. I am provided with such an opportunity by organizations like the Peace Corps. Then, in my adult years, I shall be fully prepared to choose a job that will help fellow Americans. I shall work honestly, hard, and be a good citizen. I shall vote and pay my taxes on time. All these things may seem small and trivial to some, but to me, they are ways I can give back to a country that has given so much to me.

America is truly the land of opportunity. My service to America is to grab all the opportunity that is thrown my way and make the most out of it, so that later in my life as an American I am able and ready to provide such an opportunity for others.

TRIBUTE TO WILLIE L. STRAIN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay tribute to Mr. William L. Strain, Assistant Director of the Communications Department at the Alabama Cooperative Extension Service. On March 31, Mr. Strain retired from the extension service after 45 years and two months of service.

Mr. Strain is a native of Morgan County, Alabama and a graduate of Morgan City Training School in Hartselle, Alabama. He graduated with honors from Tuskegee Institute where he received his Bachelor of Science and Master of Education degrees. He also completed his Master of Science degree in Agricultural Journalism at the University of Wisconsin. In addition to Mr. Strain's academic accomplishments, he served his country as a Second Lieutenant in the United States Air Force.

In 1958, Mr. Strain served the people of Alabama as an Assistant Negro County Agent in Butler County. He went on to serve similar positions in Coosa and Tuscaloosa Counties respectively. In 1971, he served as the plaintiff in the civil action landmark court case Strain vs. Philpot, which establish the tone to bring about equal opportunity for Extension minority employees and clients, throughout Alabama and the rest of the nation.

Ever since that landmark case, Mr. Strain continued to dedicate his life to improvements in the Extension Service. He served as a member of numerous professional associations and has received many awards for his outstanding leadership in higher education, development of community relations and professional involvement in local, state and national levels.

Mr. Speaker, in closing I want to add that I am honored to stand here today and congratulate Mr. Willie Strain. He was a trailblazer in his field and paved the way for many African-Americans.

GALBRAITH A.M.E. ZION CHURCH CELEBRATES ONE HUNDRED FIFTY-SIX YEARS, 1843–1999

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Ms. NORTON. Mr. Speaker, I ask my colleagues to join me in congratulating the officers, members, and friends of the Galbraith African Methodist Episcopal Zion Church for ''156 Years of Charting Our Legacy Through Spirituality With an Unchangeable God.''

Mr. Speaker, Galbraith A.M.E. Zion Church was organized before slavery was abolished and while the city of Washington was still in its infancy. The church grew out of the efforts of the late Bishop Singleton T. Jones, then pastor of the Zion Wesley A.M.E. Zion Church in Southwest Washington. He extended the borders of Zion by establishing a mission in the northwest section of the city. In 1843, with a meeting in the home of Mr. and Mrs. Samuel Payne on New Avenue, Northwest, between Fourth and Fifth Streets, the mission was established. Rev. Singleton T. Jones preached the sermon. Professor R.H. Dyson, Chorister of the then noted Clintonian Songsters, furnished the music. Six members joined the mission—Father and Mrs. Bartlett, Mr. and Mrs. Samuel Payne, and two other individuals whose names have been lost in history. Rev. Richard Tompkins, a local preacher from Zion Wesley Church, was appointed to take charge and served for approximately ten months.

The Mission struggled and fluctuated for a period of eight years until its reorganization in 1852, under the leadership of Rev. R.H.G. Dyson. The success of the Mission at this time was due primarily to the efforts and determination of Father and Mrs. Bartlett, Mr. and Mrs. Payne, and Mr. Julius Warren, the Assistant Class Leader to Rev. Dyson. The first building, a room 8 feet by 20 feet, was erected by Mr. Payne and was used for Sunday School and preaching services on Sunday, and for day school taught by Miss Martha Ross. As there were few facilities for the education of Black children in those days, the church served a double purpose.

After only two months, the church became too small for the congregation. Mr. Payne stretched a number of tents in the rear of the building, providing accommodations for three hundred people. In 1853, because of the danger and lack of protection from a band of lawless white men, who amused themselves by stoning the tents during services, Mr. Payne erected another home for the mission with two stories.

Upon the recommendation of Presiding Elder J.H. Hammer, Rev. Dyson joined the Annual Conference May, 1853, and was again sent to the Mission. In the fall of 1852, a lot was purchased on L Street between Fourth and Fifth Streets, Northwest for $225.00. The owner, Dr. Hall, donated $25.00 for the purchase price, and Brothers Julius Warren and Payne each paid $25.00 for a deed of trust. Mr. Naylor, a builder and contractor, agreed to build a church for a reasonable sum to be paid in small amounts. The cornerstone was laid in 1853, the first to be laid by the Colored Masons of Washington. Rev. Dyson selected the name ''Galbraith A.M.E. Zion Chapel'' in memory of Bishop George Galbraith. The dedication was March 1854.

Mr. Speaker, this city is grateful for the spiritual guidance and the progressive leadership of the current pastor, Rev. Frederick B. Massey, Sr., and those who preceded him, coupled with the cooperation of the officers and members of Galbraith A.M.E. Zion Church.

IN SPECIAL RECOGNITION OF JANE ZEIS, IN CELEBRATION OF HER RETIREMENT FROM THE OTTAWA COUNTY BOARD OF ELECTIONS

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. GILLMOR. Mr. Speaker, I rise today to pay a very special tribute to one of the truly outstanding individuals from Ohio's Fifth Congressional District, Jane Zeis. On Friday, April 30, 1999, Jane Zeis will retire from her position as Clerk at the Ottawa County Board of Elections.

Jane Zeis is truly a committed employee and a valuable asset to the Ottawa County Board of Elections. Having started as a part-time employee in early January of 1978, Jane worked diligently as Ottawa County began to register its voters, and very soon thereafter was hired to a permanent, full-time position. Her dedicated efforts and outstanding contributions over the past twenty-one years have enabled Ottawa County to have one of the best Boards of Elections in the state of Ohio.

Mr. Speaker, Jane Zeis embodies the very spirit of American workmanship through her conscientious attention to detail. In doing her job of processing changes of address, absentee balloting, and ensuring the country's precinct maps are up-to-date, among many others, Jane has performed utterly wonderfully. Her meticulous organizational skills and motivation have produced a thorough and complete county planning commission guide including precinct, school, and congressional district information.

Mr. Speaker, it has often been said that America succeeds due to the remarkable accomplishments and contributions of her citizens. It is very evident that Jane Zeis has given freely of her time and energy to assist in the preservation of American ideals. Our electoral process is the backbone of our nation, and those individuals, like Jane Zeis, who worked hard to make that system free and democratic are true American patriots.

Mr. Speaker, at this time, I would urge my colleagues to stand and join me in paying special tribute to Jane Zeis. On the occasion of her retirement from the Ottawa County Board of Elections, we thank her for her service and we wish her all the best in the future.

TRIBUTE TO CORPORAL LAWRENCE

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. PACKARD. Mr. Speaker, today I would like to reiterate my admiration for our men and women in uniform. These courageous soldiers risk their lives daily, both on and off the battlefield.

Our soldiers give the ultimate level of commitment by defending freedom, not just for the citizens of this great country, but also for others around the world. Today the soldiers in the Baltic region are specifically in our thoughts. We all look forward to their quick and safe return home to their families.

Our military forces are a magnificent team. All the branches of service work together to ensure the security for our nation. Whether these soldiers are training at home or defending freedom abroad, this well-oiled machine has become one of the best fighting forces the world has ever known.

Recently there was a tragic loss in my District at Camp Pendleton Marine Base. A Marine soldier heroically gave his life during a daily training exercise and in turn saved the life of a fellow Marine. The quick thinking of Corporal Bobby J. Lawrence saved his partner, but sadly took the life of this bright young man. Thank you Corporal Lawrence for your honor. You are truly the optiome of what makes our military great, and this country will forever be proud to claim you as a United States Marine. Our thoughts and gratitude are with your family.

Mr. Speaker, we should never forget the dedication of the men and women for our Armed Services. The courage shown by Corporal Lawrence is an example of the price some often pay so that others can enjoy freedom. The sacrifices of our brave military personnel should not be forgotten.

INTRODUCTION OF THE WELFARE TO WORK AMENDMENTS OF 1999

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. CARDIN. Mr. Speaker, to ensure the long-term success of welfare reform, we must confront two hard truths. First, as welfare rolls decline, those remaining on assistance are increasingly likely to be those who have multiple barriers to employment, such as low levels of education, language barriers, disabilities, and substance abuse problems. These barriers will require major investments to overcome—certainly far greater resources than provided to many of those who have left welfare over the last few years. This issue becomes even more important when you consider that by the end of 1999, recipients and their children will have reached welfare time limits in 19 states. And second, the primary responsibility for raising low-income children is too often left solely to mothers. It is true the welfare reform law strengthened our Nation's child support enforcement system, but that does not address situations in which non-custodial fathers want to support their children but do not have a job. In short, our current programs and policies do not make a clear enough distinction between deadbeat dads and dead broke dads.

To address these two critical issues, I rise today to introduce legislation to reauthorize the Welfare to Work program. The bill would provide $1 billion in FY 2000 to help long-term and hard-to-employ welfare recipients join the work force and to help non-custodial parents support their children. The legislation would extend the Welfare to Work (WtW) program established by the Balanced Budget Act of 1997, which provided $1.5 billion a year in FY 1998 and FY 1999 for states and local communities to help move a long-term welfare recipients in high poverty areas into jobs and help them succeed in the work force.

By providing greater flexibility to States and localities, the legislation would make substantial improvements to the original WtW program. The focus would continue to be on long-term recipients or the fathers of their children, but the program would be considerably simpler to operate. For example, under this proposal, eligible participants would be those which meet at least one, rather than two, barriers to employment. Furthermore, the list of barriers would be expanded to include with disabilities, those who are homeless, or those who have been victims of domestic violence. In addition, the first barrier listed in current law, which requires that the recipient not have a high school diploma and have low skills in reading or math would be split into two categories in order to serve those who gained a degree but whose low skills still form a major barrier to employment. And finally, the bill would allow States to offer vocational education to WtW participants and allow services to be provided to children aging out of the foster care system.

Noncustodial fathers will also face simpler eligibility requirements, so long as they agree to establish paternity and to pay child support once they are employed. The importance of non-custodial fathers in children's lives is often forgotten, except when it is time to collect child support. The majority of children on welfare live with a single parent, and only about 20% of them receive child support from their noncustodial parent. The vast majority of these noncustodial parents are either unemployed or only able to obtain intermittent, low-wage employment. Assisting these fathers in finding and keeping employment and increasing their earnings is therefore critical to enhancing child support payments and to increasing their involvement in their children's lives. For these reasons, at least 20% of new formula funds would be targeted to noncustodial parents.

Under this proposal, as under current law, about 75 percent of Welfare-to-Work funds will be allocated to States on a formula basis, with 85 percent of these funds passed through to local Private Industry Councils of Workforce Boards. The remaining 25 percent of the funds will continue to be awarded on a competitive basis by the Department of Labor to support innovative projects by a variety of private and public organizations.

In 1998, the first year of the WtW program, 44 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands received Welfare-to-Work formula grants. Approximately $368 million in competitive grants have also been awarded by the Department of Labor to 126 grantees in communities throughout the country. A third round of competitive grants will be awarded in 1999, with high priority for applications which focus on recipients or non-custodial parents with limited English proficiency, disabilities, substance abuse problems, or a history of domestic violence. It is worth noting that there was only sufficient resources to fund one out of every ten applications for the first two rounds of the competitive grant program.

In Baltimore, Maryland, part of which I represent in Congress, the City Office of Employment Development received a 1998 competitive grant of $3.3 million to provide comprehensive services to recipients and non-custodial fathers in public housing. Participants will work for 6 months in supported jobs (while also getting life skills training), and then be placed in unsubsidized employment. Baltimore is also the headquarters for three major national efforts supported by $16.5 million in Welfare-to-Work competitive funds. The efforts are managed by Marriot International, by Johns Hopkins University, and by the Enterprise Foundation. In each case, these nationally recognized organizations will be testing innovative, work-oriented strategies focused on job retention, skills development and career advancement.

Mr. Speaker, the Welfare to Work program helps the hardest-to-employ welfare recipients make the transition to employment. I urge all of my colleagues to support this extension of the program to ensure the long-term success of welfare reform not only in reducing dependency but also in reducing poverty.

IN HONOR OF THE 1ST ANNUAL DONOR AWARENESS BIKE-A-THON

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. McGOVERN. Mr. Speaker, I rise today in tribute to the 1st Annual Donor Awareness Bike-A-Thon which will occur on Sunday, April 25. This event, which consists of an eleven mile course around Lake Quinsigamond, will raise awareness and money for the University of Massachusetts Memorial Blood Donor Center, the HLA Registry Foundation, Inc., and The New England Organ Bank. Individuals and their families who have donated or received blood products, bone marrow and organ and tissue transplants will be there to bike for and/or lend their support to the issue of supply and demand for these ''Gifts of Life.''

As we draw attention to this event, the 1st Annual Donor Awareness Bike-A-Thon, it is important to remember that every day in the United States fifteen individuals die for lack of an organ, ten die for lack of a compatible bone marrow match, and countless others are dependent upon blood transfusions.

Therefore, Mr. Speaker, I proudly rise today to commend the organizers and participants of this event for their great efforts.

HONORING JOSEPH A. ZACCAGNINO FOR OUTSTANDING SERVICE TO THE COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Ms. DELAURO. Ms. Speaker, it gives me great pleasure to rise today to honor one of New Haven's most respected community leaders. Today, the Connecticut Anti-Defamation League will honor Joseph Zaccagnino with the 1999 Greater New Haven Torch of Liberty Award.

Through his leadership as President and Chief Executive Officer of Yale-New Haven Hospital and the Yale New Haven Health System, Joe Zaccagnino has significantly improved and enhanced the health care services available to our community. Yale-New Haven Hospital is an internationally renowned medical center, no doubt due in part to his talented leadership.

The face of health care in New Haven has changed for the better under Joe's direction. We have witnessed the opening of the Yale-New Haven Children's Hospital, the creation of six school-based health clinics, a substantial investment in AIDS care services, and the provision of over $27 million in free health care annually. The number of people who have benefitted from Joe's commitment to health care is incalculable. It is rewarding for all of us to know that because of his work, thousands of children and people in need are receiving the care they deserve.

Among his most significant accomplishments, Joe led the development of the Yale New Haven Health System, Connecticut's largest and most comprehensive integrated health care provider and financing system. The entire region is now able to benefit from a broad range of quality, comprehensive health care services, ranging from primary care to long-term and home health services. Joe is widely recognized as an expert in our community in developing and implementing successful health care policy. He has a vision that is balanced with the skill and expertise to carry it through.

Joe has also demonstrated his deep commitment to the Greater New Haven community through his service to a variety of local organizations. He is a former board member of the United Way, the YMCA of Greater New Haven, and the International Special Olympics Summer Games and currently serves on the Boards of the University of Hospital Consortium, National Committee for Quality Health Care, New Haven Regional Leadership Council, and New Haven Savings Bank. Joe spearheaded an innovative initiative pairing the City of New Haven and Yale University with the Anti-Defamation League to extend cultural diversity training programs into the community.

It is with great pride that I rise today to honor my good friend Joseph Zaccagnino for his outstanding service as he receives the 1999 Greater New Haven Torch of Liberty Award. His dedication to quality health care and service to the community is an example to us all. I join family, friends and the city of New Haven to congratulate Joe for this honor. I wish him continued success and prosperity, and thank him for the difference he has made in our community.

QUEEN ESTHER CHAPTER NO. 1, ORDER OF THE EASTERN STAR, PRINCE HALL AFFILIATION CELEBRATES 125 YEARS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Ms. NORTON. Mr. Speaker, I rise to congratulate and celebrate the Queen Esther Chapter No. 1, Order of the Eastern Star, Prince Hall Affiliation, of the District of Columbia, on the occasion of its 125th birthday.

The Queen Esther Chapter No. 1, Order of the Eastern Star, Prince Hall Affiliation, is a female organization that is part of Free Masonry, and was the first Eastern Star Chapter for women of color. It is a nonprofit organization dedicated to community involvement and improvement, the provision of scholarships for our youth, support of our public schools, and service to the indigent. The chapter was organized in the home of its founder, Sister Georgiana Thomas, on December 1, 1874 by Brother Thornton A. Jackson, Pythagoras Lodge No. 9., F. and A.M., who received the Degree of Adoptive Rite of the Eastern Star from Brother C.B. Case, a deputy and agent of Robert McCoy, 33°, the Supreme Patron of the Rite of Adoption of the World. The chapter's first Worthy Matron was Sister Martha Welch and the first Worthy Patron was Brother Thornton A. Jackson.

In 1875, Pythagoras Lodge No. 9, F. and M. presented the chapter with its first badges, known as Rosettes, emblems of power, honor, and ability. W.P. Thornton A. Jackson wished the chapter success and prosperity, and admonished the members to wear the badges with dignity, keeping ever before them the memory of the five heroines, Adah, Ruth, Esther, Martha, and Electa. Queen Esther Chapter was under the complete directives of Pythagoras Lodge No. 9 from 1874 until 1892, when the Georgiana Thomas Grand Chapter was organized.

The history of Queen Esther Chapter is rich in tradition and honors. The first among them being Sister Georgiana Thomas, P.M., after whom the Georgiana Thomas Grand Chapter was named, Sister Marie I. Smith for whom the Marie I. Smith Court of Cyrenes was named, and Phyllis S. Byrd, P.M. who became P.G.W.M., P.I.G.M., and after whom the Phyllis S. Bird Youth Fraternity was named.

Mr. Speaker, I ask the Members of this body to join me in wishing the Queen Esther Chapter No. 1, Order of the Eastern Star, Prince Hall Affiliation, a future that is as glorious as its past.

IN MEMORY OF FR. ALCUIN MIKULANIS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Father Alcuin Mikulanis, Associate Pastor of St. Stanislaus Church in Slavic Village.

Father Alcuin, as he was known to the many parishioners he served, had ministered in the Cleveland area since 1984. During these years, he was well known in the Polish community not only as a compassionate and dedicated Pastor, but also as an accomplished singer. In fact, he was frequently called to sing introductory prayers and benedictions at meetings and gatherings.

Fr. Alcuin was a man of many talents, and he shared them graciously with his parishioners in the several states where he served. For example, from 1958 to 1962, in addition to being Vocations Director of his Franciscan Province, he was Director of a Polish radio program entitled ''Christ the King Hour.'' Recordings of Polish folk songs and Christmas carols from this program is still in high demand after 40 years. While serving as Chaplain at St. Joseph Hospital in Meridian, MS from 1963–1966, he was involved in the civil rights activities of the time.

In Ohio, he served as Chaplain of the Sisters of St. Joseph of the Third Order of St. Francis at Marymount Convent. Later, as Associate Pastor of the historic St. Stanislaus Church, he was able to focus directly on the Polish ministry of his new parish. Fr. Alcuin witnessed the completion of one of his dreams last year with the restoration of St. Stanislaus Church on its 125th anniversary as a parish.

My fellow colleagues, please join me in honoring the memory of Fr. Alcuin.

HONORING THE OAKLAND HIGH SCHOOL FOOTBALL TEAM

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. GORDON. Mr. Speaker, I rise today to acknowledge the accomplishments of a dedicated group of young men who worked together in the true spirit of sportsmanship to achieve a long-awaited goal.

The group is the Oakland High School football team of Murfreesboro, TN. The goal the team achieved is winning the State 5–A football championship this past season.

These men of Oakland High trained vigorously and played tirelessly. They deserve recognition for a job well done.

I congratulate each team member, head coach Marty Euverard, assistant coaches Donnie Webb, Lebron Ferguson, Mike Cantrell, Mark Burke, Joey Freeman, Chuck Swafford, Todd Williamson, managers Alicia Garcia, Laura Austin, Katie Wright, Amanda McDougal, Matt Bingham, trainer Mike Gross, video technician Brian Josey, the team doctors and school Principal Ken Nolan. I know they won't soon forget this milestone.

The players are true champions. They are Alvin McDermott, Jeremy Harrison, Dejuan Hathaway, Kendrick Roper, Decarlos Carneal, Roland Ogletree, Trey Mosby, James Smith, Robbie Knight, Wardell Alsup, Desmond Rhodes, Matt King, Victor Stevenson, Mark Drew, Colby Wright, B.J. Malone, Mario Lyles, Derrick Savannah, Tee Thompason, Aaron Wells, Freddie King, Cory Hixson, Chad Pfalmer, Mason Jones, Jamie Malletta, Jeff Weaver, Chris Counts, Gabriel Batten, Essex Johnson, Jeff Atkins, Greg Spray, Justin Hutchins, Chris Parrot, Newt Ealy, Jeremy Spivey, Josh Peay, Mitch Welborne, Tommy Lawwell, Jeff Harvey, Dustin Griswold, Troy

Broughton, Brett Trott, Zach Hollins, Jay Adkins, Dustin Jones, and Luke Ferguson.

HONORING ROBSTOWN HIGH SCHOOL BAND

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. ORTIZ. Mr. Speaker, I rise today to shine the light on a performance later this week on the west side of the Capitol. I would like to invite all of you and your staff to hear the Robstown High School Band from my hometown of Robstown, TX.

Many of you have heard me talk about my hometown. Robstown is the biggest little town in Texas. Robstown has given the community, the state and the nation much of which they can be proud. Some prominent politicians at the local, the state and the national level hail from this big little town.

Robstown has thrilled us with their state baseball titles. The Cottonpickers baseball team is consistently underrated by the opposition from the bigger, more affluent school districts.

This week, however, Robstown High School sends its band to entertain us on the lower west terrace of the U.S. Capitol on April 23 from 1:30 to 2:15. The 120 young people in the band will be in the area on an educational trip during which they will see the museums and monuments Washington has to offer.

I hope all my colleagues will join me in welcoming the Robstown High School band to the U.S. Capitol.

IN RECOGNITION OF RICHARD BEDARD

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. McGOVERN. Mr. Speaker, I rise today to pay tribute to Richard Bedard, who is retiring this year after nearly 38 years of service to the Worcester Public Schools.

Dick Bedard began his career where it counts the most—in the classroom, as a math and physics teacher. From there he moved into administrative positions, including Audio-visual Director, Director of Instructional Media, and, most recently School Plant Manager.

As the man in charge of the physical plant of the Worcester Public Schools, Dick Bedard has done an extraordinary job of keeping our schools safe, clean and conductive to learning. He was in the lead as Worcester opened 5 new schools; 3 more are on the way.

Through all of this, Dick Bedard has approached his responsibilities with good humor, hard work and dedication. He is widely respected in the city of Worcester as a man who gets the job done. And although we will miss him and his expertise, it is only fair to finally share him with his wife Joan, their four children and their five grandchildren.

Mr. Speaker, I know this entire House joins me in congratulating Dick Bedard for a job very well done, and expressing our best wishes for a healthy, productive and very well-earned retirement.

A FRIENDLY WAGER

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SMITH of Michigan. Mr. Speaker, I rise today to acknowledge two great college basketball teams that met in the Final Four of the NCAA tournament. In a meeting of the House Agriculture Committee last month, Rep. BOB ETHERIDGE of North Carolina and I entered into a friendly wager on whether Michigan State University or Duke University would win their semifinal match up.

The wager called for the loser to furnish each member of the Agriculture Committee with a wholesome food product from his state. Mr. Speaker, I rise today to acknowledge that Michigan State University's great basketball team, the Big 10 champion, riding a record win streak, lost an exciting and close game to Duke University.

Mr. Speaker, to pay off this wager, I want to officially announce that I am furnishing each member of the Agriculture Committee with a bag of Michigan navy beans and I would like to note that Michigan is one of the top navy bean producers in the world. In addition, I'm furnishing each member with a box of Kellogg's new Smart Start cereal. Kellogg, which is based in Battle Creek, MI, is one of the world's top breakfast cereal producers.

Finally, I would like to acknowledge the fine example of effort and determination of all the players in the NCAA tournament.

IN HONOR OF THE U.S CHAMPION MOORPARK HIGH SCHOOL DECATHLON TEAM

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. GALLEGLY. Mr. Speaker, I rise to recognize the Moorpark High School Academic Decathlon as the U.S. National Decathlon Champions.

This is the first time a team from Ventura County, California, has won this premiere scholastic contest. In fact, it's the first time a team from Ventura County has competed in the nationals. Team members Arturo Barragan, Alexandria Dove, John Ellis, Valerie Lake, Nick Lange, Mitul Patel, Ari Shaw and Rebecca Wershba are now recognized as the best and the brightest in the country. They are the pride of their county and their country.

These youngsters won by literally dedicating their lives to the challenge. For months, these teen-agers studied at school until 10 p.m., then hit a coffee shop or a student's home to study some more. They gave up weekends, vacations, part-time jobs and time with their families.

Their coaches, head coach Larry Jones and assistance coach Michelle Bergman, did the same. Larry Jones has said he will retire. Not everyone believes him. But, at a minimum, he and Michelle have earned some relaxation in the glow of a job well done. We wish both of them the best in whatever their futures bring.

Moorpark High School fielded two teams to complete in the Ventura County Academic Decathlon on February 6. Moorpark High's two teams bested all the rest, coming in first and second. The A Team then competed against the best in California on March 12, coming away with the state title, and opening the way for their national title this weekend.

Mr. Speaker, one of the team members, Ari Shaw, served as an intern in my office last year. He brought the knowledge gained inside the halls of Congress to the contest by giving a speech on his experiences here, a speech that won him several accolades. It should please my colleagues to know that our young people leave Capitol Hill with positive memories.

As we get ready to approve the Education Flexibility bill this week and consider other education measures this year, let us keep in mind the members of the Moorpark High School Academic Decathlon team and all the worthy competitors they faced from schools across our great nation. These are the real people behind our efforts to improve our schools. They are representative of those striving to get the best education they can, to be the best they can. It is incumbent upon us to keep them to reach their goals.

Mr. Speaker, I know my colleagues will join me in applauding eight such real people who achieved a very prestigious goal—Arturo Barragan, Alexandra Dove, John Ellis, Valerie Lake, Nick Lange, Mitul Patel, Ari Shaw and Rebecca Wershba—the U.S. champion Moorpark High School Academic Decathlon Team.

''EXTRAORDINARILY EWING'' OFFERS VALUABLE LESSON IN CIVIC RESPONSIBILITY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. HOLT. Mr. Speaker, I rise today to call the attention of my colleagues to a remarkable example of community service and civic responsibility that is occurring in my Congressional District in central New Jersey.

Two years ago, alarmed at low voter turnout, local parent Candace Mueller, of Ewing, New Jersey, formed ''Extraordinarily Ewing'' a group of PTA members, parents, business people and taxpayers committed to getting the word out about the importance of participating in school board elections and being involved in local education issues.

This community-based effort to educate citizens about the importance and responsibility of voting, and in taking part in other matters relating to local elections, has been a remarkable success. Since the program was started, voting turnout has increased and residents have taken more interest in issues like the local school budget. The effect of this involvement has been contagious, leading to a more informed, more involved citizenry, regardless of their position on the issues.

At the urging of the citizens of ''Extraordinarily Ewing,'' today in Ewing has been designated ''Take Your Child to Vote Day.'' The campaign, which urges parents and guardians to take twenty minutes out of their busy

schedules to go to the polls with their children to vote is an important lesson in civic responsibility. By seeing their parents voting, young people understand very clearly the importance of being involved in their community and its decisions.

The efforts of ''Extraordinarily Ewing'' have been recognized by Ewing Mayor Al Bridges, the Town Council and by County Executive, Robert Prunetti. ''Extraordinarily Ewing's'' efforts have also been spotlighted by the *Ewing Weekly Times* and *The Trenton Times.*

Mr. Speaker, at a time when voter participation and involvement is on the wane, the efforts of ''Extraordinarily Ewing'' are a refreshing reminder of the importance of being involved. The efforts of these parents and business people offer a valuable lesson in civic responsibility for all of us.

I hope that my colleagues will join me in recognizing this group and these efforts.

MEDICARE PRESCRIPTION BENEFIT FOR ALL SENIORS IS URGENTLY NEEDED; GOOD HEALTH CARE REQUIRES ACCESS TO PHARMACEUTICAL TREATMENT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. STARK. Mr. Speaker, today, Representatives HENRY WAXMAN, JOHN DINGELL, myself and others are introducing the Access to Rx Medications in Medicare Act of 1999. Senators EDWARD KENNEDY (D–Mass.) and JAY ROCKEFELLER (D–W. Va.) are introducing the bill in the Senate. It provides a basic, affordable Part B benefit of $1,700 per year that will cover 80% of pharmaceutical costs for all seniors and eligible disabled individuals with more than $200 in annual drug costs. The bill also helps all Medicare beneficiaries by covering 100% of their costs above $3,000 in annual out-of-pocket prescription drug expenditures.

The benefit is to be administered by private-sector entities such as pharmacy benefit managers (PBMs), insurers, or networks or wholesale and retail pharmacies, which would competitively bid for Medicare's business. Entities contracting with HHS to provide the drug benefit would be required to meet certain standards, including establishing an adequate formulary and an exceptions process to the formulary, as well as a 24-hour counseling program for enrollees, an education program for medical providers on appropriate prescribing and dispensation of covered drugs, and drug utilization review.

To stabilize employer-sponsored retiree health coverage, we're proposing to subsidize employer's coverage by paying companies a capitated amount that would otherwise be paid to a private entity—but only if that coverage is at least as good as what Medicare is offering. In return, employers would have to agree to pay the cost of their retirees' Medicare Part B prescription drug premium for at least a year.

Clearly, adding a prescription drug benefit to Medicare is not an inexpensive proposition. But the price of leaving pharmaceutical medications out of the programs' benefits package and instead paying for unnecessary hospitalizations for those who just 'try to do without' is also high. The Food and Drug Administration estimated that the cost of hospitalizations caused by inappropriate use of prescription medicines was $20 billion annually higher in 1995.

There are several financing options that I hope will be considered as the Medicare prescription drug debate advances. One is to assess tobacco companies for what they cost the program to treat smoke-related illnesses. A second is to support a strategy of recouping Medicare expenditures on tobacco-related diseases through suits against Big Tobacco. A third is to consider dedicating a portion of projected budgetary surpluses to paying for Medicare drug coverage.

Debate about the financing options for a Medicare drug benefit will inevitably be contentious. But there is no better time to join this debate than today—when the program's solvency has been extended until 2015 even without an infusion of money from budgetary surpluses. With an infusion, the solvency timeline stretches far into the future—until 2027.

It is time to turn our attention to meeting the needs of the growing number of senior citizens who are being rapidly priced out of drug coverage. Adding a prescription drug benefit is an investment—one of the most important we can make—in the health of tens of millions of our citizens.

I recently sent out a survey to seniors in my district to assess the prices they pay for a range of specific prescription medications. Their responses were both revealing and sad. Asked what percentage of her monthly $547 income is dedicated to prescription drugs, one elderly women suffering from osteoporosis replied very simply: ''I cannot afford them.'' Queried about how this makes her feel, she said: ''I just try to cope.''

Another of my constituents, who has asthma, wrote: ''During the winter and spring my asthma is particularly bad and I have to use my inhaler quite often; and I sometimes am not able to purchase another, and I limit my use.'' Asked whether she has ever had to choose between paying for items like food or electricity because of the high cost of prescription drugs, she said: ''Yes, and I felt frightened.''

People who are sick need pharmaceutical treatment. Many who aren't take pharmaceuticals to stave off illness. In my case, taking Zocor lowers my blood cholesterol and helps reduce my risk of winding up in the hospital for costly bypass surgery.

There are millions more elderly Americans with similar stories in congressional districts across the country. There are people who suffer from lack of medically appropriate access to pharmaceutical treatment.

I submit that for a health plan in the year 2000 not to offer pharmaceutical care is preposterous.

In today's era of unprecedented prosperity, who would say ''No'' to legislation providing prescription drug coverage to the one group that would benefit most—our nation's seniors?

In the 105th Congress, we invested in children's health when we enacted the State Childrens' Health Insurance Program. Now we must fix the huge hole in Medicare's benefit package. If we don't a bolder future Congress will.

TRIBUTE TO HARRISON COBB

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SCHAFFER. Mr. Speaker, few people I know have committed as much intellectual attention to the topic of natural resources as my long-time friend and constituent, Mr. Harrison Cobb, of Fort Collins, Colorado. My first acquaintance with Mr. Cobb was made in 1987. He invited me into his home and spent generous time allowing me the benefit of his vast education, experience, and passion for mining.

Supremely dedicated to preserving the environmental integrity of America's western heritage, Mr. Cobb's civic devotion is to influence public debate about natural resources issues with balanced opinion employing practical, logical, and scientific reason, and historical perspective. His persuasive treatment of natural resource questions is unmatched. Mr. Cobb is, in my opinion, a giant among his colleagues in the field of mineral extraction.

Mr. Speaker, Mr. Cobb's contributions are bigger still in scope. HIs professional talents have been directed toward many of the broader topics confronting all Americans: Economics, national character, education, and cultural decay are issues about which Mr. Cobb has engaged his countrymen and to which he has held many public officials accountable.

Mr. Speaker, I commend the example of Mr. Cobb to my colleagues in the House, and hereby submit to the RECORD for their consideration some thoughts of Mr. Cobb's conveyed in a letter he recently posted to me.

HARRISON S. COBB,
Ft. Collins, CO.

The world's most important commodity, after air and water, is ROCK. Everything that we use, need and want comes out of rock. Even food, clothing and housing are taken from soil, which is disintegrated rock.

To get the autos, aeroplanes, trains, toothpaste fluoride, catalytic convertors, printing presses, electric power, running tap water and almost everything else out of the solid rock, it HAS to be mined. Thus far there's no other way to produce it.

The primary purposes of mountains are not skiing, hiking or viewing. Mountains are the only places where you can walk directly into the inside of the earth and look for those things so necessary to our lives. There may be equally rich sources of gold, copper, iron, platinum, fluorite, tungsten, molybdenum under the Kansas-Nebraska prairie, but who can sink through 2000 feet of sedimentary rock in order to start prospecting for them?

Here and there natural forces have squeezed the somewhat plastic inside of the earth up through cracks in the sedimentaries, forming protuberances that we call mountains, giving us our only opportunities to see and search for those minerals that occur only inside the earth. This is the primary purpose of and use for mountains.

The enviros and the bureaucratic Lilliputians who aim to end mining through over-regulation, land withdrawals, Kyoto treaties and UN heritage sites demonstrate lack of education and complete ignorance of fact. In the end, the people will suffer—but who cares about that?

CONGRESSMAN BOB: This is just to add to your ammunition. Thanks for good work.

HARRISON.

Mr. Speaker, I am grateful to Mr. Cobb for his love of our mighty nation, for his consistent

exhibition of patriotic spirit. He is truly an inspiration to me to continue on our important work advancing the freedom and liberty of our beloved Republic.

NATIONAL MONUMENT NEPA COMPLIANCE ACT

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. HANSEN. Mr. Speaker, today I have introduced 'The National Monument NEPA Compliance Act.'' This Act would enhance public participation in the creation of national monuments.

Two and a half years ago President Clinton created the 1.8 million acre Grand Staircase-Escalante National Monument in the State of Utah. This national monument was created in the dark of night. No one from Utah knew about it until just before it happened. The public was completely excluded from the process.

This is not the way that public land decisions should be made. The public should be allowed to participate in public land decisions.

This bill would do just that, it would allow the public to participate in the national monument designation process. It would require the President, through the Secretary of the Interior, to follow the National Environmental Policy Act when formulating a national monument proposal. Since the preparation of an environmental impact statement takes some time, it would call for a 2-year emergency withdrawal of the lands in question during deliberations on the monument proposal to ensure protection of the resources.

This bill would not affect the power of the President to create national monuments. It would just require him to involve the public in the decision process. It would eliminate the clandestine creation of national monuments in smoke-filled back rooms. I believe this is a very good bill and I hope it will garner bipartisan support.

I urge my colleagues to cosponsor and support ''The National Monument NEPA Compliance Act.'' We need to return public participation to public lands management.

TRIBUTE TO ROBERT M. ''BOB'' MCLAUGHLIN

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Mr. Robert M. McLaughlin, an outstanding individual who has dedicated his life to education. He will be celebrating his retirement from Saint David's School, where he has taught English and Latin, as well as 4th and 8th grade, since 1963. He will be honored on May 5 by parents, family, friends, and professionals for his outstanding contributions to the community.

Born in the Bronx in 1936, Mr. McLaughlin, known as Bob to his friends, attended Cardinal Hayes High School and Fordham University where he earned a bachelor's degree in English and a master's degree in Latin and Roman History.

As Rose Marie Gionta Alfieri eloquently reported in Saint David's Magazine: ''A bibliophile is one of the terms most often used by McLaughlin's colleagues and friends at Saint David's to describe him. Others include 'loyal,' 'funny,' 'supportive,' 'argumentative,' and 'good sport.' But perhaps the most on-the-nose quality that captures the essence of this master teacher can be summed up in one word: passion.''

Mr. Speaker, I think that quote speaks volumes about Mr. McLaughlin's character.

Mr. McLaughlin will retire in May of this year after a fruitful career in public service. He will leave us with many lessons learned about leadership in education and about wisdom. A talented leader and educator, Mr. McLaughlin will continue sharing his knowledge and views with his family and friends.

Mr. McLaughlin is married to Mary McAndrews and they are the proud parents of five children, Robert, Matthew, Andrew—all three attended Saint David's School—Mary Joyce, and Kristin.

Mr. Speaker, I ask my colleagues to join me in recognizing Robert M. ''Bob'' McLaughlin for his outstanding achievements in education and his enduring commitment to the community

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3889–S3970

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 832–845, and S.J. Res. 20. **Page S3914**

Budget Process Reform: Senate began consideration of S. 557, to provide guidance for the designation of emergencies as a part of the budget process, taking action on the following amendments proposed thereto: **Pages S3896–S3908**

Pending:

Lott (for Abraham) Amendment No. 254, to preserve and protect the surpluses of the social security trust funds by reaffirming the exclusion of receipts and disbursement from the budget, by setting a limit on the debt held by the public, and by amending the Congressional Budget Act of 1974 to provide a process to reduce the limit on the debt held by the public. **Pages S3896–S3908**

Abraham Amendment No. 255 (to Amendment No. 254), in the nature of a substitute. **Pages S3896–S3908**

A motion was entered to close further debate on Amendment No. 254 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Thursday, April 22, 1999. **Page S3908**

Education Flexibility Partnership Act—Agreement: A unanimous-consent-time agreement was reached providing for the consideration of the conference report on H.R. 800, to provide for education flexibility partnerships, on Wednesday, April 21, 1999, with a vote to occur thereon. **Page S3965**

Appointment:

National Council on the Arts: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–83, announced the appointment of Senator DeWine to serve as a member of the National Council on the Arts. **Page S3965**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting a report on Federal climate change expenditures; referred to the Committee on Foreign Relations (PM–19). **Page S3913**

Nominations Received: Senate received the following nominations:

Frank Almaguer, of Virginia, to be Ambassador to the Republic of Honduras.

John R. Hamilton, of Virginia, to be Ambassador to the Republic of Peru.

Donald W. Keyser, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for Rank of Ambassador during tenure of service as Special Representative of the Secretary of State for Nagorno-Karabakh and New Independent States Regional Conflicts.

2 Air Force nominations in the rank of general.

21 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S3966–70**

Messages From the President: **Pages S3912–13**

Communications: **Page S3913**

Petitions: **Pages S3913–14**

Statements on Introduced Bills: **Pages S3914–42**

Additional Cosponsors: **Pages S3942–44**

Amendments Submitted: **Pages S3944–47**

Notices of Hearings: **Page S3947**

Authority for Committees: **Page S3947**

Additional Statements: **Pages S3947–48**

Text of S. 507 as Previously Passed: **Pages S3948–65**

Adjournment: Senate convened at 10:30 a.m., and adjourned at 7:04 p.m., until 10:30 a.m., on Wednesday, April 21, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3965.)

Committee Meetings

(Committees not listed did not meet)

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on the science and technology program and the future years defense program, after receiving testimony from Jacques S. Gansler, Under Secretary for Acquisition and Technology, and Delores Etter, Deputy Under Secretary for Science and Technology, both of the Department of Defense; Paul J. Hoeper, Assistant Secretary of the Army for Research, Development and Acquisition; H. Lee Buchanan III, Assistant Secretary of the Navy for Research, Development and Acquisition; Lt. Gen. Gregory S. Martin, USAF, Principal Deputy, Office of the Assistant Secretary of the Air Force for Acquisition; and Frank L. Fernandez, Director, Defense Advanced Research Projects Agency.

CONSERVATION/RESOURCES/PUBLIC LAND AND RECREATION

Committee on Energy and Natural Resources: Committee held hearings on S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S. 446, to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; and S. 532, to provide increased funding for the Land and Water Conservation Fund and Urban Parks and Recreation Recovery Programs, to resume the funding of the State grants program of the Land and Water Conservation Fund, and to provide for the acquisition and development of conservation and recreation facilities and programs in urban areas, receiving testimony from Mayor Victor Ashe, Knoxville, Tennessee, on behalf of the Conference of Mayors; Terrell Davis, Denver Broncos, Denver, Colorado, on behalf of the Pop-Warner Little Scholars and Sporting Goods Manufacturers Association; Bernadette Castro, New York State Office of Parks, Recreation and Historic Preservation, Albany; Dianne A. Curry, Dallas Park and Recreation Board, Dallas, Texas, on behalf of the National Recreation and Park Association; Hank Steinbrecher, United States Soccer, Chicago, Illinois, on behalf of the U.S. Soccer Federation and the U.S. Soccer Foundation; Chuck Cushman, American Land Rights Association, Battle Ground, Washington; Alan Front, Trust for Public Land, San Francisco, California; Bruce Vincent, People for the USA, Libby, Montana, on behalf of the Alliance for America; Theodore R. Roosevelt, IV, Lehman Brothers, New York, New York; Jane Hague, Metropolitan King County Council, Seattle, Washington, on behalf of the National Association of Counties; Robert J. Smith, Competitive Enterprise Institute, Washington, D.C.; and Judith E. Bittner, Alaska State Department of Natural Resources, Anchorage, on behalf of the National Conference of State Historic Preservation Officers.

Hearings continue on Tuesday, April 27.

BALLISTIC MISSILE THREAT

Committee on Foreign Relations: Committee resumed hearings on the United States vulnerability to ballistic missile attack, receiving testimony from James R. Schlesinger, former Secretary of Defense; William Schneider, Jr., former Under Secretary of State for Security Assistance, Science and Technology; and James R. Lilley, former U.S. Ambassador to China.

Hearings recessed subject to call.

WAR IN KOSOVO

Committee on Foreign Relations: Committee held hearings on issues relating to the war in Kosovo, focusing on United States and NATO policy, receiving testimony from Madeleine K. Albright, Secretary of State.

Hearings recessed subject to call.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings on the nominations of Stephen H. Glickman and Eric T. Washington, each to be an Associate Judge of the District of Columbia Court of Appeals, and Hiram E. Puig Lugo, to be an Associate Judge of the Superior Court of the District of Columbia, after the nominees, who were introduced by District of Columbia Delegate Eleanor Holmes Norton, testified and answered questions in their own behalf.

FLAG PROTECTION AMENDMENT

Committee on the Judiciary: Committee held hearings on S.J. Res. 14, proposing an amendment to the Constitution of the United States, authorizing Congress to prohibit the physical desecration of the flag of the United States, after receiving testimony from Richard D. Parker, Harvard Law School, Cambridge, Massachusetts; Maj. Gen. Patrick H. Brady, USA (Ret.), Sumner, Washington, on behalf of the Citizens Flag Alliance, Inc.; Gary E. May, University of

Southern Indiana, Newburgh; Maribeth Seely, Sandystone-Walpack School, Branchville, New Jersey; Nathan D. Wilson, West Virginia Council of Churches, Charleston; and Lt. Gen. Edward Baca, USA (Ret.), Albuquerque, New Mexico, former Chief, National Guard Bureau.

Hearings continue on Wednesday, April 28.

DOMESTIC PREPAREDNESS

Committee on the Judiciary: Subcommittee on Youth Violence, with the Subcommittee on Technology, Terrorism, and Government Information, concluded joint hearings on domestic preparedness in the next generation, after receiving testimony from Barabara Y. Martinez, Deputy Director, National Domestic Preparedness Office, and Andy Mitchell, Deputy Director, Office for State and Local Domestic Preparedness Support, Office of Justice Programs, both of the Department of Justice; James M. Hughes, Director, National Center for Infectious Diseases, Centers for Disease Control, Department of Health and Human Services; Charles L. Cragin, Acting Assistant Secretary of Defense for Reserve Affairs; Richard A. Dyer, Lee's Summit Fire Department, Lee's Summit, Missouri, on behalf of the International Association of Fire Chiefs; Patrick J. Sullivan, Jr., Arapahoe County Sheriff's Department, Littleton, Colorado, on behalf of the National Sheriff's Association; and Richard L. Alcorta, Maryland Institute for Emergency Medical Services Systems, Baltimore, and Joseph F. Waeckerle, Leawood, Kansas, both on behalf of the American College of Emergency Physicians.

VETERANS CONTINGENCY PLAN

Committee on Veterans' Affairs: Committee concluded hearings on the Department of Veterans Affairs contingency plans for the year 2000, after receiving testimony from Hershel W. Gober, Deputy Secretary, Harold Gracey, Acting Assistant Secretary for Information and Technology, Ernesto Castro, Y2K Program Manager, James Burress, Deputy Chief Research and Development Officer, Thomas Garthwaite, Deputy Under Secretary for Health, and Leonard Bourget, Y2K Program Manager, Veterans Health Administration, all of the Department of Veterans Affairs; Thomas Shope, Special Assistant to the Director for Science and Technology, Food and Drug Administration, Department of Health and Human Services; Joel C. Willemssen, Director, Civil Agencies Information Systems, Accounting and Information Management Division, General Accounting Office; Constance Craig, Chief Information Officer/Assistant Commissioner for Information Resources, Financial Management Service, Department of the Treasury; Kenneth Buckley, Assistant Director, Division of Reserve Bank Operations and Payment Systems, Federal Reserve System; and Nicholas F. Barranca, Vice President, Operations Planning, United States Postal Service.

NATIVE AMERICAN GRAVE PROTECTION AND REPATRIATION

Committee on Indian Affairs: Committee concluded oversight hearings on the implementation of the Native American Graves Protection and Repatriation Act (P.L. 101–601), after receiving testimony from Maricopa County Superior Court Judge Sherry Hunt, Phoenix, Arizona; Rosita Worl, Sealaska Heritage Foundation, Juneau, Alaska; Tex G. Hall, Three Affiliated Tribes of the Fort Berthold Reservation, New Town, North Dakota, on behalf of the Aberdeen Area Tribal Chairmen's Association; Armand Minthorn, Confederated Tribes of the Umatilla Indian Reservation, Pendleton, Oregon; Robert P. Gough, Rosebud Sioux Tribe, Rosebud, South Dakota, on behalf of the estate of Tasunke Witko; Ernie Stevens, Jr, National Congress of American Indians, and Keith W. Kintigh, Society for American Archaeology, both of Washington, D.C.; and W. Donald Duckworth, Bishop Museum, Honolulu, Hawaii, on behalf of the American Association of Museums.

House of Representatives

Chamber Action

Bills Introduced: 24 public bills, H.R. 1475–1498; 1 private bill, H.R. 1499; and 3 resolutions, H. Con. Res. 88–89 and H. Res. 144, were introduced. **Pages H2201–02**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 800, to provide for education flexibility partnerships (H. Rept. 106–100);

H. Res. 142, providing for consideration of H.R. 1184, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 2000 and 2001 (H. Rept. 106–101); and

H. Res. 143, waiving points of order against the conference report on H.R. 800, to provide for education flexibility partnerships (H. Rept. 106–102). **Pages H2144–48, H2201**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Bass to act as Speaker pro tempore for today. **Page H2139**

Recess: The House recessed at 1:10 p.m. and reconvened at 2:00 p.m. **Page H2144**

Private Calendar: Agreed to dispense with the call of the Private Calendar. **Page H2144**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Thrift Savings Plan Changes: H.R. 208, amended, to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan; **Pages H2161–64**

1st Anniversary of the Good Friday Peace Agreement: H. Con. Res. 54, amended, recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement; **Pages H2171–76**

International Narcotics Control and Law Enforcement Assistance Appropriations: H.R. 1379, amended, to amend the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, to make a technical correction relating to an emergency supplemental appropriation for international narcotics control and law enforcement assistance. Agreed to amend the title; **Pages H2176–77**

Honoring Rosa Parks with A Gold Medal on Behalf of the Congress: H.R. 573, amended, to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation (passed by a yea and nay vote of 424 yeas to 1 nay, Roll No. 92). Subsequently, the House passed S. 531, a similar Senate-passed bill—clearing the measure for the President. H.R. 573 was then laid on the table; and **Pages H2150–61, H2177–78**

Condemning the Murder of Rosemary Nelson: H. Res. 128, amended, condemning the murder of human rights lawyer Rosemary Nelson and calling for the protection of defense attorneys in Northern Ireland (passed by a yea and nay vote of 421 yeas to 2 nays, Roll No. 93). **Pages H2164–71, H2178–79**

Presidential Message—Climate Control Activities: Read a message from the President wherein he transmitted his account of all Federal agency climate change programs and activities—referred to the Committees on Appropriations, International Relations, Science, Commerce, and Ways and Means. **Page H2179**

Senate Messages: Message received from the Senate appears on page H2139.

Referrals: S. 249, was referred to the Committee on Education and the Workforce; S. 426 and S. 430, were referred to the Committee on Resources, and S. 453 was referred to the Committee on Transportation and Infrastructure. **Page H2200**

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of the House today and appear on pages H2177–78 and H2178–79. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:34 p.m.

Committee Meetings

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior continued appropriation hearings. Testimony was heard from Members of Congress.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on the Department of Veterans Affairs. Testimony was

heard from Togo D. West, Jr., Secretary of Veterans Affairs.

BANK SECRECY ACT—REPORTING REQUIREMENTS

Committee on Banking and Financial Services: Subcommittee on General Oversight and Investigations and the Subcommittee on Financial Institutions and Consumer Credit held a joint hearing on reporting requirements under the Bank Secrecy Act of 1970 and related statutes. Testimony was heard from the following officials of the Department of the Treasury: James E. Johnson, Under Secretary, Enforcement; and Bonni G. Tischler, Assistant Commissioner, Office of Investigations, U.S. Customs Service; Mary Lee Warren, Deputy Assistant Attorney General, Criminal Division, Department of Justice; Richard A. Small, Assistant Director, Division of Banking Supervision and Regulation, Board of Governors, Federal Reserve System; Christie A. Sciacca, Associate Director, Division of Supervision, FDIC; and public witnesses.

WORK INCENTIVES IMPROVEMENT ACT

Committee on Commerce: Subcommittee on Health and Environment approved for full Committee action amended H.R. 1180, Work Incentives Improvement Act of 1999.

ENERGY LABORATORIES—SECURITY—GAO PERSPECTIVE

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing on Security at the Department of Energy's Laboratories: The Perspective of the General Accounting Office. Testimony was heard from the following officials of the Energy, Resources, and Science Issues, GAO: Victor S. Rezendes, Director; William F. Fenzel, John R. Schulze and Gary R. Boss, all Assistant Directors.

EMPLOYER HEALTH PLAN ACCOUNTABILITY

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations, hearing on Employer Health Plan Accountability: Do Participants Have Adequate Protections? Testimony was heard from public witnesses.

REGULATORY RIGHT-TO-KNOW ACT

Committee on Government Reform: Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs approved for full Committee action amended H.R. 1074, Regulatory Right-to-Know Act of 1999.

BANKRUPTCY REFORM ACT

Committee on the Judiciary: Began markup of H.R. 833, Bankruptcy Reform Act of 1999.

Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on the following bills: H.R. 791, Star-Spangled Banner National Historic Trail Study Act of 1999; and H.R. 1104, to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center. Testimony was heard from Denis Galvin, Deputy Director, National Park Service, Department of the Interior; John W. Carlin, Archivist of the United States, National Archives and Records Administration; and public witnesses.

CONFERENCE REPORT-EDUCATION FLEXIBILITY PARTNERSHIP ACT

Committee on Rules: Granted, by a vote of 11 to 0, a rule waiving all points of order against the conference report to accompany H.R. 800, Education Flexibility Partnership Act of 1999, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Goodling and Representative Castle.

EARTHQUAKE HAZARDS REDUCTION ACT

Committee On Rules: Granted, by a vote of 10 to 0, an open rule providing 1 hour of debate on H.R. 1184, Earthquake Hazards Reduction Authorization Act of 1999. 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 amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill be considered as an original bill for the purpose of amendment. The rule provides that the committee amendment in the nature of a substitute shall be open for amendment by section. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows for 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 one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representative Smith of Michigan.

Joint Meetings

EDUCATION FLEXIBILITY PARTNERSHIP ACT

Conferees, on Thursday, April 15, agreed to file a conference report on H.R. 800, to provide for education flexibility partnerships.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 21, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to review the recent report on the Federal Crop Insurance Program by the Office of Inspector General, Department of Agriculture, 8:30 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Defense, to hold hearings on issues relating to the Defense Health Program, 10 a.m., SD–192.

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings on the readiness of the United States Navy and Marines operating forces, 9:30 a.m., SR–222.

Subcommittee on SeaPower, to hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on ship acquisition programs and policy and the Future Years Defense Program, 2:30 p.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings on proposed legislation authorizing funds for fiscal year 2000 for Technology Administration, Department of Commerce, and S. 795, to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, 2 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings on whether the United States has the natural gas supply and infrastructure necessary to meet projected demand, 9:30 a.m., SD–366.

Subcommittee on Forests and Public Land Management, to hold oversight hearings to review the Memorandum of Understanding signed by multiple agencies regarding the Lewis and Clark bicentennial celebration, 2 p.m., SD–366.

Committee on Foreign Relations: business meeting to mark up proposed legislation authorizing funds for fiscal years 2000–2001 for foreign assistance programs, 10 a.m., SH–216.

Full Committee, to hold hearings to examine NATO's 50th anniversary summit, 2 p.m., SD–562.

Committee on Governmental Affairs: to hold hearings on S. 746, to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government, 9:30 a.m., SD–342.

Committee on Indian Affairs: to hold hearings on S. 401, to provide for business development and trade promotion for native Americans, and for other purposes, 9:30 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 3 p.m., SH–219.

Committee on the Judiciary: to hold hearings on privacy issues surrounding the internet, 10 a.m., SD–226.

Subcommittee on Constitution, Federalism, and Property Rights, business meeting to consider S. J. Res. 14, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, 1 p.m., SD–226.

United States Senate Caucus on International Narcotics Control: to hold hearings on the threat of corruption to United States Law Enforcement along the Southwest border, 2 p.m., SH–216.

House

Committee on Appropriations, Subcommittee on Defense, executive, on Kosovo Supplemental, 2 p.m., 2359 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on public witnesses, 10 a.m., and 2 p.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Department of Veterans Affairs, 9:30 a.m., and 1:30 p.m., 2359 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Domestic and International Monetary Policy, hearing on the Administration's Fiscal Year 2000 authorizations for the international financial institutions and related programs, 10 a.m., 2128 Rayburn.

Committee on Commerce, to mark up the following bills: H.R. 1400, Bond Price Competition Improvement Act of 1999; H.R. 459, to extend the deadline under the Federal Power Act for FERC Project No. 9401, the Mt. Hope Waterpower Project; H.R. 1378, to authorize appropriations for carrying out pipeline safety activities under chapter 601 of title 49, United States Code; and H.R. 45, Nuclear Waste Policy Act of 1999, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Oversight and Investigations, hearing on Federal Prison Industries, 1:30 p.m., 2175 Rayburn.

Subcommittee on Workforce Protections, hearing on the following H.R. 987, Workplace Preservation Act; the Safety and Health Audit Promotion Act; the Safety and Health Audit Promotion and Whistleblower Improvement Act; and the Models of Safety and Health Excellence Act, 10:30 a.m., 2175 Rayburn.

Committee on International Relations, hearing on the Situation in Kosovo, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific and the Subcommittee on International Economic Policy and Trade, joint hearing on the Embattled State of U.S.-China Relations: Assessing the Zhu Rongji Visit, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, to continue markup of H.R. 833, Bankruptcy Reform Act of 1999; and to mark up H.R. 771, to amend rule 30 of the Federal Rules of Civil

Procedure to restore the stenographic preference for recording depositions, 10:15 a.m., 2141 Rayburn.

Committee on Rules, to consider H.R. 999, Beaches, Environmental Assessment, Cleanup, and Health Act of 1999, 3:30 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Space and Aeronautics, hearing on Extension of Space Launch Indemnification, 2 p.m., 2318 Rayburn.

Subcommittee on Technology, hearing on Genetics Testing in the New Millennium: Advances, Standards and Implications, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation; to mark up the following bills: H.R. 118, to designate the Federal building at 300 East 8th Street in Austin, Texas, as the ''J.J. 'Jake' Pickle Federal Building''; H.R. 560, to designate the Federal building located at 300 Recinto Sur Street in Old San Juan, Puerto Rico, as the ''Jose V. Toledo United States Post Office and Courthouse''; H.R. 686, to designate a United States courthouse in Brownsville, Texas, as the ''Garza-Vela United States Courthouse''; H.R. 1121, to designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the ''Lewis R. Morgan Federal Building and United States Courthouse''; S. 453, to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the ''Hurff A. Saunders Federal Building''; and S. 460, to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the ''Robert K. Rodibaugh United States Bankruptcy Courthouse'', 1 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, to mark up the Water Resources Development Act of 1999, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, hearing on the following bills: H.R. 1071, Montgomery GI Bill Improvements Act of 1999; and H.R. 1182, Servicemembers Educational Opportunity Act of 1999, 10 a.m., 340 Cannon.

Subcommittee on Oversight and Investigations and the Subcommittee on Health, joint hearing on the suspension of medical research at Department of Veterans Affairs medical facilities in West Los Angeles and Spulveda, California, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on China Damage Assessment, 11:30 p.m., H–405 Capitol.

Next Meeting of the SENATE

10:30 a.m., Wednesday, April 21

Senate Chamber

Program for Wednesday: After the recognition of ten Senators for speeches and the transaction of any morning business (not to extend beyond 12:30 p.m.), Senate will consider the conference report on H.R. 800, Education Flexibility Partnership Act, with a vote to occur thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 21

House Chamber

Program for Wednesday: Consideration of H.R. 1184, Earthquake Hazards Reduction (open rule, 1 hour of general debate); and

Consideration of the conference report on H.R. 800, Education Flexibility Partnership Act (rule waiving points of order, 1 hour of general debate).

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