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# House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. WILSON).

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*July 27, 1999.*

I hereby appoint the Honorable HEATHER WILSON to act as Speaker pro tempore on this day.

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

## MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

## LIVABLE COMMUNITIES IN A GLOBAL ECONOMY

Mr. BLUMENAUER. Madam Speaker, one aspect of the livable community in a global economy is the struggle of this Congress to understand the huge and complex nation, that is China. An ancient society, over 4,000 years old, and a large country, almost beyond our comprehension, more than four times the United States, a quarter of the world's population. In my lifetime, we have turned a blind eye to the cruelty and corruption of the Kuomintang government, headed by Chiang Kai-Shek.

We chose to support that effort during World War II. We ended up making some unfortunate decisions perhaps only history will judge, but the recent evidence suggests that we did not have to make as much of an enemy of Mao Tse-Tung and the communists.

This tragic miscalculation came into fore during the Korean war, when General MacArthur defied President Truman and enlarged the conflict and ultimately cost thousands of United States lives that was unnecessary. At the time, of course, in the well of this Congress, MacArthur was viewed as a hero and Truman was vilified.

History has shown that President Truman was, in fact, a visionary in a number of respects; one of our greatest presidents, praised by no one less than Ronald Reagan, but we have seen the ebb and flow on this floor where Congress simply has not exercised proper perspective.

We saw where Richard Nixon, who was characterized during his early career as a red baiter, as someone who was against the Communist Chinese, yet he was able during his presidency, one of the most enduring and lasting contributions was to swing the balance of power towards a more strategic alliance with China, and that hastened the collapse of the former Soviet Union.

We have seen China behave as a nation of what appears to be to us in excess. The great leap forward, costing millions of lives of their own people, the cultural revolution of the seventies, the current turmoil that is in this context is perhaps a little more understandable, but one thing is very clear, that we are seeing unprecedented access to the Chinese people, more and more educated abroad, particularly in the United States.

Even with the Internet access, it is transforming the internal dynamics of China. The United States does not have to sit back helplessly as we look at forces in China but nonetheless it seems to me important that we do not use heavy-handed, clumsy behavior, assuming that the United States can isolate China and make it bend to our dictates. It is important that we use trade and our economic relationship as tools.

There is no turning back. Our history, both of the United States and of the West in general, has been mixed with the Chinese and there is much to make them apprehensive, but the United States has paid a heavy price for miscalculating during World War II, during the Korean War and Vietnam.

The United States and China spies on each other continuously but we really do not know each other very well. I am hopeful that this week on this floor Congress will reject the notion that we ought not to treat China as we do 180 other countries, with normal trade relations, because if we are able to take that important step, it is only going to hasten the further change and progress within China, strengthening our country, strengthening the Chinese people and their economy, and ultimately the world itself will be a better place.

## A DEBT MONEY SYSTEM

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

Mr. METCALF. Madam Speaker, there is a fundamental flaw in our money system that allows money to be created as a debt instrument. It is called a debt money system, and money must never be created and loaned into circulation. The reason this must be avoided at all costs is that when interest is charged on money at the point of issue, the interest is mathematically unpayable.



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This can be illustrated. Let me give just a quick example. It is an oversimplification. Let us say that five people design a money system. They create $50 in currency without intrinsic value, paper currency, say. Each one borrows $10 and agrees to repay the $10 in one year and, of course, they will pay interest on it. They will each pay $1 in interest.

Now, this is obviously a flawed system because if only $50 is created, a year later it is impossible for $55 to be repaid. Someone in the system is going to lose their collateral that they pledged for the loan.

Unfortunately for us, this is the kind of system which has been imposed on this country. The deeper problems do come to light as we look carefully at our monetary system.

Now, there will always be some people who are better managers, just good at business or just lucky in their choices. That is the first group. They will prosper in any system. Then there is the upper middle class who will manage a satisfactory standard of living. Then next is the lower middle class, who may manage a satisfactory standard of living by working two jobs or being frugal in their spending or so forth.

Number four, there are the working poor who really do work hard but at low paying jobs they can never get ahead at all.

Number five, at the bottom are the hopeless poor who may work some or are on some sort of welfare but have little chance to better their situation in the real world. They are the last hired in good times and the first fired when the economy is slipping.

Now, it is easy to say this group does not have the skills, probably true; does not want to work, probably not true, but in any event there is strong evidence that the system, the system we have, plays a critical role in their lack of success.

Let us suppose there are five heads of families that live on a new continent. We will just invent a situation. Again, they work hard, bartering for things. The plan proposed would be to issue the certificates, as I mentioned, and they would be the medium of exchange. They issue fifty pieces of paper or fifty certificates and they have to each repay one certificate at the end of the year, and thus the interest on it is impossible to be paid. That is, if money is issued as a loan, the interest is impossible to be repaid.

Now, it is easy to see in a simple situation like that, or example, but it is impossible to see in our huge national monetary system with hundreds of billions of dollars constantly being created and extinguished. Actually, it is estimated that about $20 billion is extinguished and created each day in America, causing the fundamental flaw in our system. The fact of creating money out of thin air and loaning it into circulation at interest makes the interest mathematically impossible to be paid.

The result is that this system builds more and more debt which cannot be repaid, resulting ultimately in monetary problems, anything from a minor recession to a major hair-curling depression such as we experienced in the 1930s. These things are the result or can be the result of a flawed monetary system.

The point I make is that we must understand the danger of relying on the issue of debt money. It is the responsibility of Congress to understand this issue and its ramifications, and change the way we issue the Nation's money. More on this later.

## A PERMANENT NEGOTIATOR TO FACILITATE DIRECT TALKS ON NAGORNO KARABAGH MUST BE APPOINTED

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. Madam Speaker, the foreign operations appropriations bill, which this House is expected to begin debating later this week, contains an important provision that is extremely timely and deserves our support. Language in the foreign ops legislation addresses the need for a negotiated settlement to the Nagorno Karabagh conflict; noting that the important position of special negotiator for Nagorno Karabagh and NIS, the Newly Independent States of the former Soviet Union, regional conflicts is currently vacant.

The Committee on Appropriations urged the Secretary of State to move forthwith to appoint a permanent special negotiator to facilitate direct negotiations and any other contacts that will bring peace to the long suffering people of the South Caucasus.

Madam Speaker, Nagorno Karabagh is an historically Armenian populated region that declared its independence as the Soviet Union was breaking up. The neighboring Republic of Azerbaijan, which claims Nagorno Karabagh as part of its own territory, went to war to prevent Karabagh, known to the Armenian people as Artsakh, from achieving its independence.

The people of Karabagh prevailed in battle and Azerbaijan agreed to a cease-fire in 1994 but, Madam Speaker, a permanent negotiated settlement acceptable to all sides has been elusive.

The U.S. has played a leading role in the effort to resolve this conflict, as a co-chair of the Minsk Group, under the auspices of the Organization for Security and Cooperation in Europe.

The U.S. has had three of our diplomats serve in the post of special negotiator to try to resolve this conflict.

Madam Speaker, the position of special negotiator recently became vacant with the departure of Donald Keyser, a career diplomat who moved on to another post in the State Department. Mr. Keyser, our third special negotiator, played a major role in shaping a new plan to settle the conflict, known as the Common State proposal.

Despite their substantial reservations, both Armenia and Nagorno Karabagh agreed to the Common State proposal as a basis for negotiations. Unfortunately, Azerbaijan flatly rejected this proposal.

Mr. Keyser worked very hard to move this process forward, so his departure leaves a major void. At this critical juncture, we must get another permanent special negotiator in place without delay, preferably either a very senior diplomat or perhaps another American recognized for leadership in public policy and public life, someone who can command the respect necessary to win the confidence of all parties to the conflict.

To echo and amplify the language in the foreign ops bill, I will be circulating amongst our colleagues here a letter to President Clinton and Secretary Albright urging that they move to appoint a special negotiator immediately.

Madam Speaker, two weeks ago Armenia's ambassador to the United States, Ambassador Rouben Shugarian, came to Capitol Hill to brief Members of Congress and our staff about the Nagorno Karabagh peace process, and one of the most positive developments of late has been the increase in direct contacts between the presidents of Armenia and Azerbaijan. The presidents of the two countries recently met privately in Geneva.

The surprise announcement that came out of the meeting was a tentative agreement to have Nagorno Karabagh participate directly in the next session of face-to-face talks. While it may be too soon to talk of a breakthrough, Armenian President Kocharian stated that he believes Azerbaijan's President Heydar Aliyev is serious about achieving a solution to the Karabagh conflict. Ambassador Shugarian spoke at our recent meeting with cautious optimism about other avenues for direct talks, and it is important for this process to continue and indeed to be accelerated as much as possible.

That is why today I want to stress that the presence of a permanent U.S. special negotiator to facilitate direct negotiations and other contacts is extremely important at this time. I urge the administration to act quickly to appoint a new and permanent special negotiator.

## BUDGET PRIORITIES

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

Ms. MCKINNEY. Madam Speaker, in the 1980s, at the height of the so-called

Reagan revolution, Congress passed a Budget Act which made trickle down economics the policy of the land. Under the banner of fiscal conservatism, that budget provided for large increases in military spending, along with sweeping tax cuts that mainly benefited the wealthy. The theory was that the money would trickle down to regular folks, but we regular folks only got trickled on.

In fact, we got so tired of being trickled on that we voted George Bush out of the White House and put Bill Clinton in. The result, as was predicted by the liberals at the time, was the largest debt in the history of the world.

However, let us fast forward to the 1990s where the Republican Contract on America has been totally discredited and they would like us to forget that they shut down the government in order to force our President to accept their twisted priorities. Instead, because Democrats stood up to the Republican bullying, we are now experiencing Bill Clinton's economy where job growth is up, unemployment is down, homeownership is up and interest rates are down. The deficit is down and the budget surplus is up.

Unfortunately, the Republican Congress' response to all of this is predictable. Increase military spending and go back to the same old trickle down theories that produced the largest debt in the history of the free world; this time a trillion dollar tax cut to their wealthy fat cat buddies and an increase in military spending as they embark upon a desperate effort to recapture the glory days of Ronald Reagan's trickle down.

Amazingly, they think we have forgotten. They figure that by changing the name to compassionate conservatism they can fool us, but that is just not so. In the FY 2000 budget, the United States will spend more on the interest on Ronald Reagan's debt than on the entire Medicare program. The FY 2000 budget also commits half of all Federal discretionary spending to military programs.

Now, there are some good things in the military budget that I strongly support: Cooperative threat reduction programs, increases in pay for members of our uniformed services, and increased benefits for America's veterans. However, the tremendous excesses in the military budget compelled me to oppose it. The current defense strategy calls on the military to be prepared to fight two significant wars at the same time, without any allies, and while maintaining a credible military reserve. The bottom line is that we maintain a Cold War era military and its incumbent costs irrespective of any realistic assessment of the threat to our national security. We also maintain at tremendous expense a Cold War nuclear arsenal.

I strongly believe we must leave behind the military structure and devices that we depended upon to win the Cold War and prepare for the real world of today and tomorrow. Instead, we are layering unrealistic demands on top of Cold War needs. As a result, the emergency supplemental appropriations bill became a Christmas tree, laden with gifts of pork for everyone, and the rate of the increase in military spending now threatens Social Security, low income housing and nutrition programs.

It is clear to me that our national security cannot be measured in bombers alone. I believe our national security depends equally on our domestic programs and on constructive foreign policy initiatives. We can no longer continue to spend nearly half of all of our Federal discretionary dollars on military programs. This misplaced priority compromises our national security by shortchanging our investments in programs that make for real security: A healthy, well-educated, properly housed citizenry.

Does the U.S. really need a military that is big enough to simultaneously fight two major regional wars alone? Why does the U.S. need to continue to station 100,000 troops in Europe? Europe cannot defend itself? Why is the United States spending $35 billion per year to maintain over 6,000 nuclear weapons on high alert against an enemy that no longer exists? Why should the U.S. spend another $11 billion on a missile defense system that is technologically infeasible and strategically destabilizing? Why not close the military bases that the Department of Defense no longer needs and support converting them into profitable commercial and industrial centers? Why should the DOD get more money when it cannot even find over $9 billion worth of inventory and continues to give away millions in over payments to contractors?

More money is not the answer to Pentagon waste. Instead, we should end the obsolete U.S. Cold War military, invest instead in developing multilateral civil institutions such as the organization for cooperation and security in Europe. These steps will reduce the cost of the U.S. Government by more than $40 billion a year.

## THREATS OF HATE MUST STOP AGAINST SAN FRANCISCO'S CHINESE-AMERICAN POPULATION

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

Mr. LANTOS. Madam Speaker, some time back I rose in the well of this House to denounce the burning of Black churches in the south. A few weeks ago, it was my duty and the duty of my like-minded colleagues to denounce the burning of three synagogues in California. Today it is my painful duty to speak out against a new and different incipient hate crime.

I am proud to represent the City of San Francisco in this body. San Francisco is viewed across the globe as one of the most spectacularly beautiful places on Earth, but its real beauty comes not from its location and topography and buildings but from the richness of the cultural variety of its citizens.

In recent days, our Chinese American population has been intimidated, attacked, assaulted, with hate literature of the most pernicious type. I stand here, Madam Speaker, calling on these merchants of hate to stop their nefarious and hideous business.

San Francisco's Chinese American community is one of the most law abiding, industrious, hard working, patriotic segments of our society. They deserve our respect and our recognition; not the oozing of hate literature and the threats of thugs who are in the process of attempting to intimidate a population which for generations has contributed so richly, not only to the cultural variety but also to the economic vibrancy of our city.

This attack on San Francisco's Chinese American community must stop. I call upon the major law enforcement agencies at all levels to be ultra vigilant in seeing to it that these merchants of hate will not go beyond their threats and, in fact, engage in physical actions of intimidation against the Chinese American population.

San Francisco prides itself, and justly so, in providing a secure, safe and civilized haven to all its citizens. The Chinese American population of the City of San Francisco is entitled to nothing less.

I intend to meet with the leadership of that community to reassure them that my colleagues in this body and indeed our Federal Government is fully prepared to protect them in all their rights and privileges as American citizens.

## RECESS

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

Accordingly (at 9 o'clock and 25 minutes a.m.), the House stood in recess until 10 a.m.

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## AFTER RECESS

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

## PRAYER

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

Let us pray using the words of Psalm 100:

Make a joyful noise to the Lord, all the lands.

Serve the Lord with gladness.

Come into His presence with singing.

Know that the Lord is God.

It is He that made us, and we are His.

We are His people, and the sheep of His pasture.

Enter His gates with thanksgiving and His courts with praise.

Give thanks to Him, and bless His name.

For the Lord is good.

His steadfast love endures forever, and His faithfulness to all generations.

Amen.

## THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

Pursuant to clause 8, rule XX, further proceedings on this vote will be postponed.

The point of no quorum is considered withdrawn.

## PLEDGE OF ALLEGIANCE

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

Mr. MCNULTY 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.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2280. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Veterans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes.

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

S. 296. An act to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 1402. An act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The Chair will entertain 15 one-minutes on each side.

## 25TH ANNIVERSARY OF LEGAL SERVICES CORPORATION

(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 the White House is holding a party celebrating the 25th anniversary of the Legal Services Corporation.

Mr. Speaker, this is no time to celebrate. We now know that the Legal Services Corporation massively misrepresented its caseload to Congress. In fact, according to a recent study, LSC misreported a full one-third of its cases to Congress. That kind of waste and mismanagement are hardly causes for celebration.

LSC was inflating numbers. LSC was giving Congress misleading information. LSC was wasting taxpayer money. And worst of all, it was neglecting the very people it claims to help.

Mr. Speaker, we cannot reward poor performance and misleading information. No birthday celebration can paper over the fact that the Legal Services Corporation is not helping as many people as it claims.

Now that the false cases have been exposed, it is clear that LSC does not deserve the funding it has been getting. In fact, Mr. Speaker, perhaps they should make their case before the false claims court.

Mr. Speaker, given LSC's habit of inflating numbers by a third, I would not be surprised if that birthday cake at the White House today has 33 candles on it.

## TRIBUTE TO JUDGE FRANK M. JOHNSON

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

Mr. FROST. Mr. Speaker, on July 23 the Nation lost a great American when Judge Frank M. Johnson died at his home in Montgomery, Alabama.

Judge Johnson was truly an American hero, a man of decency and courage, and whose dedication to the principles of the Constitution ensured that all Americans might enjoy the rights and privileges accorded to the citizens of this Nation by that great document.

His most celebrated decisions came in the early years of the civil rights movement in this country. After Rosa Parks refused to give up her seat on a Montgomery bus, Judge Johnson ruled that the regulation that required her to stand in order that a white passenger might sit was in violation of the 14th Amendment.

Following the savage beating of civil rights marchers, who included our own colleague the gentleman from Georgia (Mr. LEWIS) by Alabama state troopers as they attempted to march from Selma to Montgomery, Judge Johnson moved that those marchers should be allowed to express their grievances through a peaceful demonstration.

In his ruling, he said that those marchers were doing nothing more than exercising their Constitutional right to assemble peaceably to seek redress of grievances.

He struck down laws that prohibited African-Americans from serving on juries, signed the order to force the integration of the University of Alabama, took part in the case that led to the one man, one vote ruling by the Supreme Court and had a hand in scores of other cases that led to desegregation of public facilities throughout the South.

Mr. Speaker, I believe this great man did indeed yield true justice. The country has lost a great man.

## LANCE ARMSTRONG, AN INCREDIBLE COMEBACK

(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, we have got a new hero named Lance Armstrong as a professional cycler.

In October of 1996, he was diagnosed with cancer, threatening not only his career but his life. Last Sunday afternoon, he conquered both. Lance, who grew up in Plano, Texas, in our district, won the Tour de France by 7 minutes, 37 seconds.

Armstrong's triumph over the France landscape is a testament to the strength of human mind, body, and spirit when put to the test and a testament to faith in God that miracles do happen.

The fact that an American won the race for the first time in 9 years is reason enough for national celebration. But Armstrong's victory over cancer gives a very real, very special hope to those who are struggling with cancer.

Today we say bravo and congratulations, Lance, for a victory that will go down as one of the most incredible comebacks in history.

America is in your debt. God bless you.

## AMERICA MUST NOT TOLERATE MURDERERS

(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, the Yosemite murderer confessed to four

brutal killings. Cary Stayner said he beheaded one victim. Cary Stayner then said he had killed the mother and her 15-year-old daughter. Cary Stayner then said he killed their 16-year-old friend as well. Then Cary Stayner apologized. My colleagues, Cary Stayner said, ''I'm sorry.''

Beam me up, Mr. Speaker. I say it is time for a jury to tell Cary Stayner, Goodnight, sweet Prince. It is time to meet the devil.

An America that tolerates murderers like Cary Stayner is an America that will have more murderers like Cary Stayner.

I yield back the record number of victims laid to rest in cemeteries all over America.

## THREE CORNERSTONES OF REPUBLICAN BUDGET PROPOSAL

(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, the Republican budget proposal contains three important provisions, some of which our friends on the other side appear to be ignoring.

First, it contains a Social Security and Medicare lockbox requirement which locks away 100 percent, every dime of the money collected from FICA taxes and requires that it all goes towards Social Security, Medicare.

Secondly, it provides for substantial debt reduction. Debt held by the public would be reduced by over $2 trillion over the next 10 years.

And third, it provides for tax relief they are debating.

Social Security and Medicare, debt reduction, and tax relief. Those are the three cornerstones of our budget proposal. It seems that Social Security and Medicare and debt reduction are being forgotten in all of the debate about tax relief.

But to ignore our plan to strengthen Social Security and Medicare, to ignore the $2 trillion in debt reduction that our plan calls for simply does not do it justice.

Our plan is fair, balanced, and responsible. It protects seniors, begins paying down the national debt, and gives taxpayers a break.

## MASSIVE REPUBLICAN TAX BREAK IS OUTRAGEOUS AND EXCESSIVE

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

Mr. CROWLEY. Mr. Speaker, the massive House Republican tax break is outrageous and excessive, threatening opportunities to strengthen Social Security, Medicare, and education.

Just listen to Republican analyst Kevin Phillips in comments made today: ''We can fairly call the House legislation the most outrageous tax package of the last 50 years. It is worse than the 1981 excesses. You have to go back to 1948, when the Republican 80th Congress sent a kindred bill to President Harry Truman. Harry Truman vetoed it, calling the Republicans 'bloodsuckers with offices in Wall Street.' Not only did he win reelection, but the Democrats recaptured Congress.''

House Republicans have also proved that they are more concerned about big tax cuts for the wealthy than providing relief for America's school districts by failing to take a prime opportunity to include a real school construction initiative.

The tunnel vision by Republicans on a big tax break for the rich senselessly blocks commonsense tax incentives that would provide crucial aid to America's schools.

Republican priorities put wealthy Americans over the needs of our children. Mr. Speaker, we must put our children before the wealthy in this country.

## AMERICANS SHOULD HOLD ON TO MORE OF THEIR HARD-EARNED MONEY

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

Mr. HAYWORTH. Mr. Speaker, it is very interesting to come to the well of this Chamber; and we can always depend on something. It is as predictable as the swallows returning to San Juan Capistrano and the buzzards going back to Hinckley, Ohio. We always hear from my liberal friends every excuse in the book as to why the American people should not keep more of their hard-earned money.

I appreciate my good friend from New York and his lesson in revisionist history. It is always interesting to hear the rationale of those doomed to defeat because they fail to recognize that, if given a choice, we believe Americans should hold on to more of their hard-earned money instead of sending it to Washington bureaucrats to waste.

While we are on the subject and talking about children, I am curious as to why my liberal friends think that those working Americans who earn $40,000 a year are somehow rich. Because it turns out those who make $40,000 a year pay nearly four times as much in taxes as those who earn $20,000 a year.

Finally, Mr. Speaker, I point this out: It is real simple what we want to do with the surplus, the overcharge. We want to take $2 of that surplus and put it away, lock it away for Social Security and Medicare. And then with the other dollar that remains, we want to give it back to the American people because it is their money and in that way we will secure America's future and the majority in this Chamber.

## DO NOT VOTE TO CONDEMN UNTIL WE KNOW WHAT IT IS

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

Mr. STRICKLAND. Mr. Speaker, it troubles me that sometimes in this Chamber we stand and say things that we ought not to say. We criticize people that we have no right to criticize.

We recently voted to condemn a scientific study and an organization, an organization that has done as much as any organization in this country to fight child abuse.

I wonder how many of us read the study before we were willing to vote to say that the methodology was flawed. I wonder how many of us were technically competent to make that decision.

I believe that we ought to observe the Ten Commandments. One of those Commandments says, you ought not to bear false witness against your neighbor.

When we say things about an organization or about an individual scientist that are untrue or unsubstantiated, in my judgment, we have violated that Commandment.

We ought to have the decency not to vote to condemn something until we know what it is we are voting to condemn.

## GOVERNMENT SHOULD NOT KEEP TAXPAYERS' HARD-EARNED MONEY

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

Mr. CHABOT. Mr. Speaker, Republicans are proposing a tax cut. In fact, we passed it in the House of Representatives here just last week. Democrats criticized it, and now they say they want to target a tax cut. But there is a big difference. Republicans are targeting all taxpayers. If they pay taxes, they get a tax cut. To liberal Democrats that is not fair. To their way of thinking only if the government decides whether they are worthy of some social engineering should they get a tax cut. And if they are carrying most of the tax burden, they are the last persons the liberal Democrats here in the House want to give a tax cut to. For most taxpayers, when a liberal wants to give a targeted tax cut, well, this is a euphemism for ''you are not getting one.''

Let me say again what the Republican approach to tax cuts is, if one is a taxpayer, one gets to keep some of one's hard-earned money. It is not the Government's money. It belongs to the people who had labored and worked hard to earn it in the first place

Yes, it is a question of fairness and it sends an important signal to the American people that hard work will be rewarded.

## REPUBLICAN BUDGET BETTER AT DEBT REDUCTION THAN DEMOCRAT PROPOSALS

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

Mr. BALLENGER. Mr. Speaker, I want to reiterate. The Republican budget contains $200 billion more in debt reduction than does the Democrat proposals. You heard that right. Our budget is better on debt reduction than the Democrat budget is according to the Congressional Budget Office.

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But one would never know it from listening to some of my colleagues on the other side of the aisle, many of whom seem to be positively incapable of describing our tax cut proposal accurately.

Republicans call for both tax relief and debt reduction in our proposal. Indeed, our plan would reduce the debt held by the public by slightly over $2 trillion over the next 10 years. To call that irresponsible is reckless or a bit odd. We have a balanced and fair plan that not only provides for debt reduction and tax relief, but insists on a Social Security and Medicare lockbox provision for the first time. One hundred percent of the retirement surplus would go to Social Security and Medicare.

In other words, all FICA taxes would actually go towards the programs they were designed to go towards, Social Security and Medicare.

Do Democrats really think that is reckless?

## PORKER OF THE WEEK AWARD

(Mr. HEFLEY asked and was given permission to address the House.)

Mr. HEFLEY. Mr. Speaker, to prevent potential catastrophic nationwide computer meltdown, the Securities and Exchange Commission, or the SEC, is fighting brokers and firms to ensure that their computers actually read ''00'' as of January 1 of 2000.

Recently an 87-year-old broker who has spent 50 years in the investment business was fined $5,000 for not being Y2K compliant. There is only one problem. This particular gentleman does not own a computer. His operation is so small, he does not actually sell them mutual funds; he just gives advice. He never touches any money at all.

Mr. Speaker, that has not stopped the SEC from demanding a yearly audit of his firm which costs him another $5,000. He went ahead, and he paid the original Y2K fine because he could not afford the money to fight the bureaucracy.

He will not be without a computer for long, however. New SEC regulations insist that all brokers have a computer so they can receive e-mail notices from the agencies.

Here we have a legitimate businessman being harassed and intimidated by his own government agency paid for by his own tax dollars. Outrageous. It is inexcusable and a waste of taxpayers' time and money.

The Securities and Exchange Commission gets my porker of the week award and my disgust.

## STOP THE ANTI-MINING GREED

(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, well, here we go again. The left-leaning, anti-mining zealots want a Federal tax on all mining operations on an estimated, hypothetical, or proposed value of a mine. Moreover, the proposed values that are given to these mines are nothing but sheer guesses that always grossly overexaggerate the worth of the mineral deposit.

For example, some of these mining opponents cite the Stillwater Mine in Montana as a taxpayer giveaway of $38 billion. Grossly exaggerated, Mr. Speaker. $38 billion could fund a hostile takeover of the Ford Motor Company. This amount of money could purchase the entire metal mining industry in the United States and Canada.

Some claim that patents to Barrick Gold Mine have a value of $10 billion. Keep in mind that the supposed 10 billion is wrapped up in a small acreage of desert rock. Using their irrational logic, one could say that the raw land beneath the Washington Post printing plant would be worth several billion dollars itself.

In 1556 Georgious Agricola stated the miners should start mining operations in a district only where it is friendly. This quote still holds true today. Stop the anti-mining greed.

## MOURNING THE PASSING OF REV. BOOKER T. SEARS OF SPARTANBURG, SOUTH CAROLINA

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

Mr. DEMINT. Mr. Speaker, every community has citizens that strive to improve the way of life for all those around them. They serve others because they want to, not because they have to.

One such man was Reverend Booker T. Sears of Spartanburg, South Carolina. Last week Reverend Sears, a pioneer civil rights leader and respected community leader, passed away at his home. Reverend Sears was pastor of Thompson Street Baptist Church for nearly 50 years. His efforts within the community helped integrate public schools, desegregate public transportation, and develop many community improvement projects.

Reverend Sears will be remembered as a man who truly cared about all those around him. During his career, he was a mentor to young pastors and a servant to everyone in the community.

Reverend Sears is a testimony of one man making a difference in the lives of thousands, Mr. Speaker. We will miss Reverend Sears. It is now our time to carry on his mission off love and service.

## LANCE ARMSTRONG: THE REAL MCCOY

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

Mr. KASICH. Mr. Speaker, Sunday afternoon I took the time to sit and really celebrate vicariously, as much as it would be appropriate, as Lance Armstrong pedaled the final 2,300 miles into Paris. What an amazing story for a man who many had given up on. Given less than a 50–50 chance to even survive the cancer that wracked his body, he had incredible steely determination, and he was able to not only overcome cancer, but also to prove so many of the sponsors who had given up on him wrong.

As my colleagues know, this is a time in America when we are all in search of heroes, all in search of the real McCoy. As my colleagues know, I think Lance Armstrong is the real McCoy. When he crossed that victory stripe and he was interviewed by the network, he had not prepared some big braggadocio speech. In fact, it took him 2 or 3 questions to finally get Lance Armstrong to say that with human beings many times we get a second chance, and the second chance may even be better and greater than the first chance.

Lance Armstrong is humble, determined and an inspiration and should be a hero to everyone who lives not just in the boundaries of the United States but around the globe to adults, to our seniors, and to children alike.

God bless you, Lance Armstrong, for your accomplishment.

## PRESCRIPTION POLITICS

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

Mr. SMITH of Michigan. Mr. Speaker, the President has proposed that the Medicare program provide free drug prescription. Now anyone with a basic understanding of how markets work knows that the President's proposal will increase demand and ultimately drive up the price of prescription drugs. This in turn will cause insurance rates to rise for everyone who has prescription drug coverage and further worsen the burden of those who do not have drug coverage.

As the price of drugs rise, Medicare's financial position will worsen, and this will lead to higher tax costs for everyone and pressure from the government to put price controls on prescription drugs. This will lead to shortages of prescription drugs and a slowdown in research for new and better drugs. Eventually bureaucrats in Washington will be telling seniors what prescription drugs they are going to be allowed to have.

Now the President is proposing free prescription drugs because at first glance it appears to give seniors something for nothing. But he and his advisers know as well as I do the harm that

it will do seniors and the rest of us. He is proposing this to play politics, to try to thwart tax cuts, and try to have a bigger, more powerful government.

## RETURN THE BUDGET SURPLUS TO THE PEOPLE IT BELONGS TO

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

Mr. SCHAFFER. Mr. Speaker, government or the people; that is the question. Should the projected budget surpluses be kept in Washington, D.C., or should it be returned to the people it belongs to?

On the liberal side of the aisle, they say, trust politicians. We won't spend it. We'll invest it wisely for you.

On the conservative side of the aisle, we look at human nature. All of our history, and especially the track record of these very same people making these promises and we say, nice try. Let's give it back to the taxpayers before politicians in Washington spend it.

The idea that the same people who blocked Ronald Reagan's attempts at cutting spending and then blamed Reagan for budget deficits, the same people who call Republicans extremists every time we try to cut spending, the same people who become hysterical every time Republicans insist on fiscal discipline are now asking us to trust they will not spend the budget surplus. I find that completely absurd, and in any case, that money belongs to the people, not to the government.

## THREE THINGS WE HAVE TO DO WITH THE SURPLUS

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

Mr. KINGSTON. Mr. Speaker, we now have a surplus for the first time since 1969, and there are two reasons for this: number one, Congress has brought in the rein on spending; but number two, and more importantly, hard-working Americans have worked their tails off, and tax revenues have increased as a result of it.

I believe there are three things we need to do with that surplus and there are three things that the Republican bill did do last week.

Number one, protected and preserved Social Security and Medicare. This bill set aside $1.9 trillion in Social Security and Medicare and used a lockbox device. Keep in mind the President not only wanted to preserve 62 percent of Social Security, the Republican bill preserves 100 percent.

The number two thing this bill does is pays down the debt. For 40 years, liberal Washington spending programs have given us a $5.4 trillion debt. This bill pays it down by over $2 trillion.

And then number three, it gives Americans their refund for overcharge on the government. It gives 792 billion in tax relief, and as liberal Senator BOB KERREY says, it is not reckless; it is not irresponsible when you are looking at the surpluses that we are.

I hope that the demagoguery in Washington will stop and we can pass this very important bill for the sake of Social Security, Medicare, and the debt.

## STOP THEM BEFORE THEY SPEND AGAIN

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

Mr. GEORGE MILLER of California. Mr. Speaker, it is a rather interesting argument that the Republicans make so that they can pass their tax bill to give the vast majority of its benefits to the wealthiest people in this country, and that is they must give the money to the wealthy so that the Congress will not spend the money. It is interesting because there can be no expenditures of that money without Republican votes.

Last time I looked this morning, the Republicans controlled the Senate and the Republicans controlled the House, but they keep saying, You have to stop me before I spend again. It is the Republicans' Committee on Appropriations that is coming up with phony emergencies. They now want to say that the census was an emergency. We could not predict it, we could not see it, we did not know it was coming. That is funny; it has come every 10 years. For the last 200 years of this country we have had a census in this country, but somehow now it is an emergency spending so that they can break the caps, so they can spend the surplus supposedly there for Social Security. Every day now they are dipping into the Social Security Trust Fund to spend more and more money.

So the Republicans are saying, You got to give a tax cut to the wealthiest people, otherwise they will spend the money. Sort of like the son of Sam who was saying, Stop me before I kill again.

Stop them before they spend again.

## ABOLISH DOE

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

Mr. ROYCE. Mr. Speaker, $30,000 should be enough to purchase a nice car or make a down payment on a house or pay for a couple of years of college, but $30,000 should not be enough to buy a $9 million supercomputer especially when the technology has the potential to be exported for nuclear weapons research. But that is exactly what the Department of Energy has allowed to happen, and when the DOE officials realized their mistake, they scrambled to buy the computer back for three times the sales price.

Now this just does not compute.

The Department has proven time and time again that it does not put a premium on national security, and that is why I have introduced my bill, H.R. 2411, which would eliminate this multi-billion-dollar bureaucracy with confused missions and questionable priorities. Frankly, these are responsibilities that should be handled again by the Department of Defense. We should abolish this agency.

It is time we stopped the Department of Energy from turning our national labs into garage sales. I urge my colleagues to take a closer look at this risk to America's national security interests.

## TRADE POLICY TOWARD THE COMMUNIST REGIME IN CHINA

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

Mr. ROHRABACHER. Mr. Speaker, in a few brief minutes this House will consider the issue of what trade policy we shall have towards the Communist regime in China.

☐ 1030

It is a bipartisan issue. It is an issue in which there are some Republicans on one side and some Republicans on the other; some Democrats on one side, some Democrats on the other.

I would ask the American people to pay close attention to the debate that we will have on this issue. This debate will determine whether or not this country is remaining true to its principles as stated by our Founding Fathers; whether or not that is indeed our highest value, that freedom and democracy and human rights remain the highest value for the American people.

Mr. Speaker, if we are not committed to those fundamental principles, we will lose in the end, because not only will we not prosper, but our country will be put in jeopardy, our national security will be compromised. This, perhaps, is one of the most important issues that we will discuss this year, and I would hope that the American people pay close attention to the upcoming debate.

## THE JOURNAL

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 352, nays 53, answered ''present'' 1, not voting 27, as follows:

[Roll No. 337]

YEAS—352

Ackerman
Allen
Andrews
Archer
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Coburn
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Paul
Payne
Pease
Pelosi
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Vento
Vitter
Walden
Walsh
Wamp
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Whitfield
Wilson
Woolsey
Wu
Wynn
Young (FL)

NAYS—53

Aderholt
Baird
Bilbray
Borski
Brown (FL)
Brown (OH)
Clay
Clyburn
Costello
Crane
DeFazio
English
Fattah
Filner
Ford
Gephardt
Gutierrez
Gutknecht
Hefley
Hill (MT)
Hilleary
Hilliard
Hutchinson
Johnson, E. B.
Kucinich
LoBiondo
Markey
McGovern
McNulty
Miller, George
Moran (KS)
Neal
Pallone
Pastor
Peterson (MN)
Ramstad
Riley
Sabo
Sanford
Schaffer
Stark
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Visclosky
Waters
Weller
Wicker
Wolf

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—27

Abercrombie
Armey
Bereuter
Burton
Campbell
Chenoweth
Collins
Cramer
Davis (FL)
Deutsch
Edwards
Fowler
Gordon
Greenwood
Hinchey
Kilpatrick
McDermott
Meek (FL)
Oberstar
Peterson (PA)
Pickett
Pryce (OH)
Snyder
Watkins
Weldon (PA)
Wise
Young (AK)

☐ 1051

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. BURTON of Indiana. Mr. Speaker, during rollcall No. 337 I was unavoidably detained. Had I been here I would have voted "yea."

## DISAPPROVING EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA

Mr. ARCHER. Mr. Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 57) disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 57 is as follows:

H.J. RES. 57

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 3, 1999, with respect to the People's Republic of China.

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to the order of the House of Thursday, July 22, 1999, the gentleman from Texas (Mr. ARCHER) and a Member in support of the joint resolution each will control 1½ hours.

Is the gentleman from California (Mr. STARK) in favor of the joint resolution?

Mr. STARK. I am in favor of the joint resolution, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. TRAFICANT. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. TRAFICANT) will state his inquiry.

Mr. TRAFICANT. Mr. Speaker, if all of these Members who are controlling time favor normal trade relations for China, I would ask unanimous consent to control half of the time on this side in opposition to normal trade relations for China.

The SPEAKER pro tempore. The Chair would advise the gentleman from Ohio that the time has already been divided, half in favor and half opposed to the joint resolution.

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous matter on House Joint Resolution 57.

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

There was no objection.

Mr. ARCHER. Mr. Speaker, I ask unanimous consent to yield one-half of my time to the gentleman from New York (Mr. RANGEL) in opposition to the joint resolution, and that he be permitted to yield further blocks of time.

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

There was no objection.

Mr. STARK. Mr. Speaker, I ask unanimous consent that I be allowed to yield half of my time in support of the joint resolution to the gentleman from California (Mr. ROHRABACHER), and that in turn, he be allowed to yield blocks of that time so yielded.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the order of the House of July 22 and the unanimous consent agreement of today, the gentleman from Texas (Mr. ARCHER), the gentleman from California (Mr. STARK), the gentleman from New York (Mr. RANGEL), and the gentleman from California (Mr. ROHRABACHER) each will be recognized for 45 minutes.

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

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

Mr. Speaker, I rise in strong opposition to the resolution, which would cut off normal trade relations between the U.S. and China.

The relationship between China and the U.S. is very fragile now, as we all know, perhaps more fragile than ever. A number of developments have contributed to the precarious position in which we find ourselves today: the concern about Chinese espionage, escalating tensions between China and Taiwan, the mistaken bombing of the Chinese embassy in Belgrade, and more recently, the repression of Chinese civilians who wish to practice their faith.

In no way should we discount the gravity of these developments, nor their impact on the U.S.-China relations. Rather, we should respect the significance of each and resolve to improve the situation. We should certainly not take steps that would cause relations to deteriorate even further, lest we risk far greater consequences for America, for China, and for the entire world in the future.

Mr. Speaker, denying normal trade relations to China at this volatile stage would be such a step, and that is why I strongly oppose this resolution. House Joint Resolution 57 proposes to subject all Chinese imports to prohibitive duty rates averaging about 44 percent. Of our 234 trading partners, only six, countries such as Cuba, Laos, and North Korea, receive this exclusionary tariff treatment.

As a practical matter, China would likely retaliate with mirror sanctions against U.S. exports of goods and services to China totalling $18 billion and growing. Exports to China support 200,000 U.S. jobs. These are high caliber high-paying jobs, paying about 15 to 18 percent above the average manufacturing wage.

American firms and workers have competitors in Japan and Europe with a keen interest in this dynamic market. China's infrastructure needs require a total of $744 billion over the next decade, including transportation, power generation, telecommunication, and many, many other services. They must be sourced abroad. Japan and Europe will be more than happy to replace the United States as a reliable supplier to China, capturing the business Americans would be forced to forfeit.

The question is, who will be hurt? The answer is, not the Chinese. It will be American workers losing high-paid manufacturing jobs.

House Joint Resolution 57 penalizes U.S. consumers, as well. China supplies low-priced consumer goods such as toys and games, apparel, shoes, and simple electronics. Americans, particularly those in lower-income brackets, depend on access to these reasonably priced items for their families, to improve their family's standard of living.

□ 1100

Revoking China's NTR status would amount, in effect, to a $300 a year tax increase on the average American family of four. Costs of goods used as inputs in U.S. factories would also skyrocket, reducing the competitiveness of finished American manufactured products worldwide. The question is: Who will be hurt? The answer is: Not the Chinese, it will be American families.

It is less easy to quantify how dangerous H.J. Res. 57 would be to U.S. national security interests in this turbulent region of the world. By throwing thousands out of work, revoking NTR would deal a devastating blow to the people of Hong Kong as they struggle to maintain their way of life and autonomy following the territory's reversion to China. Taiwan's economy, too, would suffer with severe disruption. Securing Chinese cooperation on dangerous issues such as North Korea and the weapons proliferation will never happen without a functioning trade relationship between the U.S. and China.

China is one of the world's oldest and most influential civilizations. I recognize that progress toward a more democratic and open society is slow, agonizing, irregular; but it is common sense to appreciate that China will not respond positively to draconian trade sanctions. Advancement of human rights, religious freedom, and democratic principles will not be achieved if we cut ties completely with the Chinese people.

American political business and religious leaders need to remain engaged in China in order to further our values there. The most valuable American export to China is American ideals. Religious freedom is increasing in China, and we even see free elections in Chinese villages where non-Communist candidates have been elected. The question is: Would this be happening without the impact of Americans and American society on China: The answer is: No, it would not.

The open lines of communication that accompany a basic trade relationship with China support the economic and foreign policy interests of the United States in a strategically important and dangerous region of the world.

We cannot undermine U.S. political, economic, and security interests by unraveling the trade relations that benefit both countries. We cannot turn our backs on the Chinese people who compromise one-fifth of the world's population. I urge a ''no'' vote on H.J. Res. 57.

Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois (Mr. CRANE), and I ask unanimous consent that he be permitted to distribute it as he sees fit.

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

There was no objection.

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

Mr. Speaker, I oppose renewing normal trade relations with the People's Republic of China. Indeed, it may be among the world's oldest civilizations, but today those wonderful people are lead by barbarious fascists.

The gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, asked: Who is hurt? I can give my colleagues a list of the people who are hurt now by our current relationships with China: Millions of Tibetans, 6 million having been killed since the Chinese occupation in 1949; 2,000 political prisoners, these are just religious dissidents; 30 to 40 million Muslims have suffered; women and children; women pregnant outside of family planning rules have been abducted and forced to have sterilization.

The inhumane treatment of human beings in China is documented over and over and over again. As far as national security, it has been documented recently by the Cox committee that China is stealing military secrets from us in preparation for nuclear war and has violated the proliferation and nonproliferation agreements and does not deserve our trading partnership.

Whatever help may go to Boeing and Hewlett-Packard and whoever wants to sell a bunch of roam phones and airplanes to China is paid for by the blood and sweat that makes the cheap T-shirts and cheap shoes that are sold by Wal-Mart and others who import the slave labor produced goods.

We cannot continue this. This is just a matter of will Americans do business with murderers, with torturers, with child molesters, with people who are being lead by leaders who have no spark of humanity. This cannot go on.

The only message they understand is profit. They care not one whit for decency. The only thing we can do is cut into our profit at some small risk to the richest manufacturing companies in this country. Let us do it. Let us make a statement for human rights. Let us make a statement for childhood suffrage. Let us make a statement for decency. Let us make a statement for all the American values and suggest that we are rich enough and strong enough in this country to support Boeing and Hewlett-Packard and all of those people, and McDonald's franchises, all of those people who would supposedly be hurt if we do not.

Mr. Speaker, it is my pleasure and privilege to yield 5 minutes to the gentleman from Oregon (Mr. WU), one of the leading Members of the freshman class of the House of Representatives in the Democratic Caucus who has much experience and knowledge in this area.

Mr. WU. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, as the first Chinese American to stand in this House, as a trade and international trade lawyer, I feel a special responsibility in this debate. But special responsibilities run deep in this House, because the Representatives of the United States of America in Congress assembled almost

exactly 223 years ago committed themselves to the path of liberty and committed to each other their lives, their fortune, and their sacred honor.

America has lead the way for 223 years on the path of freedom, sometimes with a certain stride and sometimes through great adversity, but always leading the way and shining a light for others to follow.

What this debate is about, it is about who we are as a free people, what we stand for as a country, the courage of this Congress, and the integrity of each of us as individuals. What this debate is not about is engagement. Of course we must engage China, 1.2 billion people.

We are engaged with China, and we will be engaged with China. We must be engaged with China culturally. There are 6,000 Chinese on cultural exchange visas here in the United States. We must be engaged with China educationally. There are 14,000 Chinese on student visas in the United States. We must be engaged with China on environmental issues, on labor issues, on human rights issues. We must be engaged with China on issues where we agree and where we disagree.

Of course we must be engaged with China in business and trade. But the business of America must be more than business alone. An engagement must be through more than just the cash register. Let me give my colleagues the difference between cash register engagement and real engagement.

Cash register engagement would have us see the Chinese people as workers and as consumers, as 2 billion strong-arms to do our work, as 2 million legs to wear American jeans.

Real engagement recognizes the Chinese people as real people, people who have hopes and aspirations, people who would walk the path of freedom without.

Cash register engagement would say they are not ready for freedom. Real engagement recognizes that freedom is young everywhere. It is only 220 years old here in America. It is 150 years old in Britain. It is 100 years old in France, 50 years old in Germany and Japan.

I stand here as living proof that the Chinese people can fully participate in democracy. I stand here as proof that all people deserve to walk the path of freedom.

Where have we been walking in the past 10 years? Through two administrations, we have been walking, not the path of freedom, but the moral wilderness. We have been called off the path of freedom by the siren song of the cash register, and we have closed our ears and our hearts and we have walked away from those who had walked the path of freedom with us.

What has it gained us? What has it gained us? A larger trade deficit, more people in jail than ever. We have tried it the wrong way for 10 years. Let us try it the right way for this 1 year.

I ask my colleagues to vote in favor of this resolution and against most favored nation status for the Chinese Government.

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

Mr. Speaker, I oppose this resolution, and I call on my colleagues to vote against it. We, as Americans on the bridge of going into the next century, while we have a boom in our economy, there is no question that, in order to sustain this economic boom, we are going to have to continue to maintain our technological leadership and expansion in trade. The whole thing for the next century is going to be trade, trade, trade, and more trade.

It is true that we have lost a lot of our low-skilled jobs here, and we have to do more to protect those people that have been dislocated and placed out of work. There is no question that, as a result of our important leadership role in the world, that more and more is expected of us to protect the human rights and political rights of other people.

But I think that there is a lot of hypocrisy in terms of America's ability to monitor these things all over the world and, at the same time, to ignore many of the same inequities that exist in our country.

I was among those who lead the fight in sanctions against South Africa because the whole world saw exactly what was happening to majority rule there. But, now, America has singled out sanctions and trade punishment when most of the time we stand alone, Cuba being an example of how just wrong trade policy can get.

It would seem to me that we have an obligation for the next generation to say what we have done to prove that America leads the way in moral leadership; that we never have to explain how we get on the Amnesty International list in terms of violation of human rights; that we should not have to explain why 1.8 million Americans are locked up in jail, why 90 percent of them are locked up for nonviolent crimes, and how we find that most all of them came from the most terrible schools that we have in America.

We have to make certain that this new technology, that we have investments in it, and that we move forward and turning away from countries that we trade with, but to take advantage of our power, our influence, to make certain that, by example, we show the people that we protect human rights and political rights in this country and throughout the world.

Mr. Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. LEVIN), and I ask unanimous consent that he be allowed to allocate that time.

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

There was no objection.

□ 1115

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

Mr. Speaker, as the author of this legislation that we are discussing today, I dedicate this bill to Ginetta Sagan, a champion of human rights, who has inspired me for many, many years.

The legislation we are talking about will deny normal trade relations, formerly Most Favored Nation status, to Communist China. This preferential trade status should not be granted to a despotic regime. It should not be granted to regimes that are engaged in aggression, militarism, proliferation, and a systematic abuse of human rights of their own people.

I certainly disagree with the last speaker who suggested that the United States of America is in some way morally equivalent to this dastardly, dastardly tyrannical regime, the world's worst human rights abuser. By ignoring the nature of the Communist regime that rules China with an iron hand we are doing no favor to the American people and we are doing no favor to the Chinese people.

Mr. Speaker, we will be told time and again during this debate that bestowing this preferential trade status on Communist China will tend to civilize and moderate the gangster-like rulers there. All empirical evidence suggests the opposite. Since Tiananmen Square 10 years ago, which was a massacre of democracy advocates that the Beijing regime still denies, but since then the genocide continues in Tibet and the repression throughout China has escalated.

We have just heard today someone say that freedom of religion has never been greater in China. Yet, in fact, in the last few weeks a new generation of victims are being rounded up and brutalized, many disappearing into the Lao Gai prison camps, which are the Chinese version of the Nazi concentration camps, or the gulag system of the former Soviet Union. The latest victims are part of a meditation and exercise movement, a religious minority based purely on Chinese cultural and spiritual traditions. This has grown to some 70 million practitioners, including some members of the Communist party and their families.

Yet these innocent people, who have no political agenda, have now joined the Tibetans, the Chinese Muslims, and the Christians, who refused to register in their registered churches, in that they are all becoming enemies of the state.

The leaders of this same tyrannical regime that is persecuting these religious people still boasts in their meetings, and it has been quoted in their last meeting just a month ago, that they will ''destroy capitalism.'' I think we can read that the United States of America is who they want to destroy.

This is the same regime that is using its annual $70 billion trade surplus, and we are permitting them that trade surplus with our irrational policy that we are talking about today, they are using that to modernize their military. They

are building nuclear-armed missiles based solely on American technology, and stolen American technology, missiles that are aimed at the United States and that could incinerate millions of Americans.

After 10 years of debating this issue in Congress, as their trade surplus with the United States continues to grow, there is absolutely no sign of moderation or liberalization on the mainland of China.

Secondly, Mr. Speaker, we will hear that China must be given this preferential trade status because we cannot isolate or refuse to trade with this vast potential market. Glassy-eyed businessmen can overlook any crime, shut their ears to any pleas for mercy in their quest for the China market. Well, China is the market of the future, it always has been, and as long as it is under Communist Chinese rule, it always will be. The Communist rulers are playing Americans as saps. Little Taiwan, with 20 million people, buys more from us than all of mainland China with its 1.2 billion people. So does tiny Singapore.

This debate, no matter how the other side may claim otherwise, is not about isolating China or cutting it off from trade. Americans will still be free to trade with China at their own risk. But those are the operative words we are talking about today. They will be trading at their own risk. The reason these powerful business lobbies are pushing for normal trade relations status is that it will permit wealthy financial interests to invest in Communist China with the benefits of subsidies provided by the American taxpayer.

In short, American businessmen will be able to close down their factories in the United States, as they have been doing, and they will be able to move them to China with a subsidy by the taxpayers of the United States of America. And that is what this debate is really all about. Because people will still be free to sell their products over in China, no matter what happens in this particular debate.

This debate is not about free trade. Obviously, it is about subsidy, as I just said. But if it was truly about free trade, I would be on the other side. I believe in free trade. Free trade between free people. What we have is manipulated trade on their side and free trade on ours. That ends up benefiting the Communist Chinese and their clique that rules that country. It is not free trade; it is just a masking phrase for a totally insane policy that permits huge tariffs on any American product that they are trying to sell into China versus low tariffs on the Chinese goods that are flooding into the United States and putting our people out of work.

There has been a short-term profit. Sure, there has been a short-term profit, to a few billionaires in the United States. But it is not in the long-term interest of the American people, who are now in the shadow of Chinese nuclear weapons that are aimed at the United States and our cities.

I am asking my colleagues to join me in changing a policy that is out of control and self-destructive. Our current policy is not good for the American people, it is not good for the Chinese people, it is not making peace more likely, and America's technology is flowing to a regime that is very similar to the Japanese militarists of the 1930s. This is simply emboldening. Just like our trade policy did with the Japanese back in the 1920s and 1930s, we are simply emboldening the bully boys in Beijing to continue their repression, their aggression, and their belligerency.

This immoral policy of accommodating the Japanese back in the 1920s did not work and did not lead to peace or freedom, and it will not give us peace and freedom in our time. I ask my colleagues to join with me in standing up for democracy, for the economic interests of our people, and for a rational approach to world peace.

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

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

Mr. Speaker, I rise in strong opposition to H.J. Res. 57, which would terminate normal trade relations with China 60 days after enactment. By raising tariffs to the prohibitive levels that applied before 1980, and thereby prompting mirrored retaliation on the part of the Chinese against $18 billion of U.S. exports, this resolution would effectively extinguish trade relations between our two countries.

And for my distinguished colleague and friend from California who was just on the floor, I would remind him that his State exported $2.5 billion worth of goods. And these were not all those powerful interests, although maybe in the scrap and waste industry, because the gentleman's State exported $124 million worth of scrap and waste. And I am glad that China was willing to take it instead of dumping it in my back yard.

But in addition to that, manufactured goods out of the State of California were $2.5 billion, and that translates into roughly 40,000, almost 50,000 domestic jobs that pay, on average, 15 to 20 percent more than most jobs.

During the debate today, proponents of the bill will urge Members to send a signal to China in order to protest violations of human rights. Unfortunately, revoking normal trade relations is a rash policy that offers no practical plan for bringing the political and economic change to China that we all seek. I urge my colleagues to support a more pragmatic policy which acknowledges that a nation of 1.2 billion people is more likely to imitate our powerful example over time than it is to bend as a result of our threats.

My goal in maintaining normal trade relations is to support the continued presence of Americans throughout Chinese society, whether they be entrepreneurs, teachers, religious leaders, or missionaries. And speaking of missionaries, I might note that we had a visit here on the Hill with Ned Graham, Billy Graham's son, and they have been engaged in missionary activity in mainland China for several years and have distributed literally millions of Bibles in their missionary efforts. They have even contracted with a publishing firm in mainland China to print their Bibles. These contacts would be threatened if we revoked NTR.

Since the economic opening of China by Deng Xiaoping in 1978 and the transition in China from centrally planned socialism to a more capitalist system, 200 million Chinese citizens have been lifted out of absolute poverty. Likewise, while restrictions on organized religion remain, there has been a marked growth in religious activity in China during the last decade. To be sure, there are several severe problems remaining, but listen to Reverend Pat Robertson, who has urged Congress ''to keep the door to the message of freedom and God's love'' open, not shut. ''Leaving a billion people in spiritual darkness punishes not the Chinese Government but the Chinese people,'' he wrote. ''The only way to pursue morality is to engage China fully and openly as a friend.''

In the past few years we have observed democracy beginning to take root in the form of functioning elections at the village level in China. To date, one in three Chinese citizens have participated in local elections where many successful candidates have been non-Communists.

Many observers believe that freedom in China is greater now than at any time in its long history. The Chinese Government has allowed an unprecedented increase in the ability to own property, a home or a business, to travel and to keep profits. In a few years, more than half of the state-run industries will be privatized.

While preserving NTR trade status offers hope for improving the welfare of the Chinese people, it is also squarely in the U.S. national interest. Revoking NTR would be interpreted by the Chinese as an act of hostility. This would strengthen the hand of those in China who oppose further reform and opening to the West. It would jeopardize China's new willingness to embrace the market-oriented trade disciplines of the WTO as evidenced in the April 8 package of concessions put on the table by Premier Zhu Rhongji at the summit meeting with President Clinton.

U.S. negotiators secured progress toward an expansive bilateral market access agreement, along with Chinese commitments to adopt WTO rules relating to such issues as technology transfer, subsidies, product safeguards, and state enterprises. China also agreed to end sanitary and phytosanitary bans on the importation of United States wheat, meat, and citrus products.

If implemented, these commitments could represent substantial new opportunities for U.S. exports to China, because Chinese markets, already huge, will grow even further in areas such as agriculture and information technology.

Unlike any other major trade agreement, this is a one-sided set of concessions. In exchange for steep tariff reductions and wholesale reforms of the Chinese trading system, the United States gives up nothing. At the same time, we preserve our positive influence over the direction of the turbulent change that is occurring in China.

I urge the administration to get back to the table with the Chinese as soon as possible. The United States has a unique opportunity at this point in time. In my view, the President should have seized this historic opportunity to lock China into a binding WTO agreement. Clearly, a protectionist move to revoke normal trade relations with China would permanently derail the potential WTO deal. History in Asia and the political evolution in China will be entirely different if we allow this deal to slip through our fingers.

Maintaining normal trade relations is in the economic interest of all Americans because it preserves 200,000 U.S. jobs which are directly supported by U.S. exports to China.

□ 1130

My home State of Illinois sold almost a billion dollars of products to China in 1992. These are jobs that pay wages, as I indicated earlier, 15 to 20 percent higher than jobs supported by sales to the domestic market. They would be the first casualties in a war of trade retaliation.

Mr. Speaker, trade is the one area where the mutual advantage for China and the United States is clear; and, for that reason, I strongly urge a ''no'' vote on H.J. Res. 57.

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

Mr. STARK. Mr. Speaker, I am honored to yield 3 minutes to the gentleman from Michigan (Mr. BONIOR) the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I see nothing clear in the advantage of trade with China.

Ten years ago, the Chinese tanks rumbled into Tiananmen Square to crush an historic call for freedom and reform. Despite that danger, many demonstrators stood their ground. Hundreds were beaten; they were arrested; and they were shot.

Now, 10 years later, many of those arrested that grim day are still in prison. One of them, Zhang Shanguang, served 7 years. After Tiananmen Square, he was released, only to be rearrested because he dared to speak out on behalf of laid-off workers.

Just over the past week, Chinese authorities arrested more than 5,000 people solely on the basis of their religious beliefs. They joined countless others already locked away in dark cells and reeducation camps simply because they spoke about their faith or their right to form a union or their right to seek justice in their country.

By any measure, any measure conceivable, this is an abysmal record. And what is our response today? Well, some say we need to give the Chinese authorities more time, we need to give them more time by way of economic incentive to change. We are told to be patient.

Ten years is long enough to see that nothing has changed. In fact, it has gotten worse. The current regime continues to abuse human rights and political rights without the slightest hesitation.

The authorities even arrested a man recently in downtown Beijing for wearing a T-shirt and on the T-shirt were the words ''labor rights.'' They arrested him and threw him in prison for wearing a T-shirt.

Even as we speak, Nike is negotiating a deal with a sweatshop in China that pays teenage girls 16 cents an hour to make gym shoes that sell for $120 a pair. They work 12 hours a day for 16 cents an hour. And they have no power, no power to speak up for a better deal or to organize or no right to basic dignity, no hope at all in this situation they find themselves in.

That is unless we do something about it, unless we use our courage to leverage our economic strength to enact real reform. We could give the people of China a chance to help themselves.

Our policy of granting China special trade status no matter what they do year after year has failed.

How long are we going to ignore China's policy of slave labor, of prison labor, of forced abortions, of ethnic persecution, of religious persecution? And what are we ignoring it for? A $67-billion trade deficit?

Now, this is really surreal when we think about it. We sell more to Belgium than we do to over a billion Chinese. So let us adopt a common-sense approach, a new approach. Let us demand proof of progress before we grant China special trade status.

Let us not, as the gentleman from Oregon (Mr. WU) so eloquently spoke just a few minutes here, engage in a system of cash register engagement with China. Let us be beyond that. Let us be bigger than that. Let us stand for the ideals for which our Founding Fathers came before this country and before the world.

I urge my colleagues to vote ''yes'' on the resolution to deny China MFN status.

Mr. LEVIN. Mr. Speaker, may I inquire as to how much time there is remaining on all sides.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Illinois (Mr. CRANE) has 31 minutes remaining. The gentleman from Michigan (Mr. LEVIN) has 42 minutes remaining. The gentleman from California (Mr. ROHRABACHER) has 37½ minutes remaining. The gentleman from California (Mr. STARK) has 33½ minutes remaining.

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

Mr. Speaker, I rise in opposition to H.J. Res. 57.

Our relationship with China indeed faces many major challenges. The question in each case is whether using this annual review to withdraw NTR will confront the challenges.

I want to focus today on two of these aspects, our trade relationships and our human rights relationships.

First is the trade. Clearly, there are major problems to confront in our trade relationship with China. The large and growing current trade deficit; how we integrate a huge economy that remains nonmarket-based in many vital respects and that does not operate within a clear rule of law into a world trading order based on free market rules and the rule of law.

Neither of these problems is easily solved. The current trade deficit results, in part, because China restricts market access and because it exploits and manipulates its nonmarket mechanisms, both capital and labor.

It is imperative we address these problems in negotiations with the Chinese in the bilateral WTO access talks. Some were addressed before the negotiations broke off, but others were not. And they were reasons the U.S. could not sign off on an agreement with the Chinese a few months ago.

The answer on key trade issues is not to withdraw NTR today but to insist on clearly adequate terms and conditions before NTR is granted on a permanent basis. Enactment of today's resolution would bring further trade negotiations with the Chinese to a halt, to a complete halt. It would indeed lower our trade deficit. It would do so by terminating most of our trade rather than by addressing the structural issues, issues which are helping to create the trade deficit today, which must be addressed as we look at the longer run when China will increasingly be a competitor as well as a consumer of American made products and services, and issues which must, as I said, be fully addressed before permanent NTR is even considered.

Now let me, if I might, address human rights issues, which indeed must be addressed. Recent events in China demonstrate that the U.S. must bring sustained pressure on China on human rights. The recent suppression of followers of Falun Gong demonstrates once again that, however more open in some respects Chinese society is today compared to a decade ago, and it is, when it comes to any perceived threat to communist authoritarian control, the power of central authority will trample individual rights.

The problem with the use of this annual debate as a main tool is that it involves an instrument, withdrawal of NTR, which, absent a cataclysmic event, everybody knows in the end will not be invoked.

On the one hand, I agree with those who say that withdrawal of an NTR is

not a sufficiently relevant or effective mechanism to press ahead on human rights. On the other hand, I agree that the operation of a normal trade economic relationship will not likely by itself transform China on human rights and Democratic values.

In a word, we need to find an alternative instrument.

I realize it is not easy to find such, but I urge that we have not worked hard enough in its search. We debate once a year and then mainly wait for the next year.

We, the administration and the Congress, do not spend sustained time trying to persuade other nations to join themselves with us on human rights issues. There is no certain answer. But quite clearly, the withdrawal of NTR is not, partly because idle threats rarely create much, if any, pressure.

So, in both respects, both as to trade and human rights, a ''no'' vote on this resolution is in order. But, and I say this with the full depth of conviction, it must not be the end of this work on trade and human rights but a stimulus to further vigorous efforts.

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

Mr. ROHRABACHER. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. TRAFICANT. Mr. Speaker, I support the resolution. I oppose these so-called normal trade relations with China.

Trade with communist China is a one-way street. It now exceeds $1 billion a week. Experts say it will exceed $70 billion this year.

I want the Members to know that China, with money from Uncle Sam, is buying attack aircraft, nuclear submarines, and intercontinental ballistic missiles.

And we are continuing to simply talk about a trade scenario. Unbelievable.

The record is clear. China has already threatened to nuke Taiwan. And we are now kow towing to China with a one-China policy.

China, as we debate this measure, has 14 intercontinental ballistic missiles pointed at American cities according to the Central Intelligence Agency. China is arming terrorist nations who hate Uncle Sam. And we are today voting again to continue a policy that is anti-American and threatens our national security.

The bottom line of this debate: Congress is financing the greatest threat in our Nation's history.

We have got to be dumb, my colleagues. This is not just a trade matter. This is much more. The records show over the last several years China is spying and buying America right out from under us while Congress is granting Chinese officials gallery passes.

I heard about all of the trade surpluses. I am sure I am going to hear one from Ohio. Ohio has got a deficit with China. Ohio has got a deficit with Japan. The Nation has a $70-billion deficit, and we are in fact threatening the future of each and every one of our constituents and citizens.

I do not know what it is going to take. I do not think Congress will wise up until there is a Chinese dragon eating our assets around here. I think that is what it is going to have to take.

I want a reciprocal trade agreement with China, with Japan. Engagement is fine if it is not a one-way toll bridge for American companies.

I think it is time for our committees who have jurisdiction over trade to start bringing out the trade measures. That is the most significant problem facing our country.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON) our distinguished colleague.

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

Mr. HOUGHTON. Mr. Speaker, I do not know why we are doing this to ourselves. I mean, every single year we come up and beat the tambourine and hit the drum.

This is not going to go anyplace. We cannot cut off our relationship with China. We do not want to do it. It is the wrong thing to do. There are hundreds of ways to make China an enemy. This just happens to be one of them.

Now, it is very easy to get into specifics here, but I have been to China. I have done business there. I know what they are doing. We have a trade deficit. It is not going to get turned around soon. There are human rights problems. There are labor problems. There are environmental problems.

But I can remember talking to one of the people in one of our plants over there who said, You can be philosophic about trade relations with China. You can cut it off or increase the tariffs. Let me tell you something, my job is on the line; and I want you to remember that, because I am trying to have an impact here not only with my company but also with my family.

☐ 1145

We must be able to relate and to talk and share ideas and to trade. How else do things change? Just by shutting off things? No. So to cut off the normal trade status with China, I think, is wrong, and I think we must oppose H.J. Res. 57.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. I thank my friend from California for yielding me this time.

Mr. Speaker, I rise in support of H.J. Res. 57, to deny trading privileges to the People's Republic of China.

Every year when we debate this issue, America's CEOs stream into Ronald Reagan Airport seeking special favors for the world's worst abuser of human rights. They are helped by former government officials that know how the machinery of government operates, including former Secretary of State Henry Kissinger, former U.S. Trade Representative Carla Hills, and former Commerce Secretary Mickey Kantor.

This fall, Mr. Speaker, ''Fortune'' magazine is sponsoring a 3-day business trip to China. This gala, which CEOs by invitation only of the largest companies in America will attend, will feature dinner with the world's leading Communist, Jiang Zemin, and will feature lunch with Henry Kissinger. It concludes just prior to the celebration on October 1 of the 50th anniversary of the founding of the People's Republic of China, the 50th anniversary of the victory of communism, the 50th anniversary of the ''who-lost-China'' debate.

These CEOs from America's largest companies, many of them will travel from Shanghai to Beijing on October 1 to watch a parade in Tiananmen Square. As this military hardware from the People's Republic of China goes by and is viewed by America's most prosperous and successful CEOs, most prosperous capitalists as they watch this Communist parade go by, as ludicrous as this all sounds, it is safe to say there probably will not be much discussion by these CEOs to each other or to Communist leaders about the forced abortions in China, probably not much discussion about nuclear weapons sales, technology sales to Pakistan, probably not much discussion about persecution of Christians, probably not much discussion among these capitalists and Communists about China's slave labor camps or its child labor or all of its human rights abuses.

Mr. Speaker, we should vote ''yes'' on this Rohrabacher resolution. We should demand to see if China, for only 1 year, can stop its human rights abuses; we should demand to see if China, for only 1 year, can stop its use of slave labor and child labor; we should demand if China, for only 1 year, can stop threatening the democracy, the democracy next door, Taiwan; and we should demand, if only for 1 year, that China open up its markets so that instead of a $65 billion trade deficit, persistent trade deficit we have with that country, that maybe we could deal on an equal footing.

Mr. Speaker, a ''yes'' vote on H.J. Res. 57 is an opportunity to send a message to the American business community and most importantly to the thugs that run the Communist Party in China. It is an opportunity to send a message that this kind of behavior that they have exhibited is no longer acceptable.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. MATSUI), an expert on trade matters.

Mr. MATSUI. I thank the gentleman from Michigan for yielding me the time.

Mr. Speaker, there is no question that if you look at China's record on

human rights, on the whole issue of espionage, the trade deficit, one would have to say that our relationship with China is a very difficult one, it is an uncertain one, and it is one that obviously has a lot of ups and downs.

I think the gentleman from California (Mr. DREIER) recently in an op-ed piece in the Los Angeles Times described it as a roller coaster ride that we have with China. But in spite of all this, I think, as the gentleman from New York (Mr. HOUGHTON) mentioned, we are going to continue on our trade relations with China.

It is somewhat unfortunate that we have this debate tied with trade, because what eventually happens here is the fact that trade continues on and to some extent the comments made by the opponents of trade with China become diminished. We should really highlight the issues of human rights, the whole issue of proliferation, but it should be in a different forum, one in which we can all join together and deal with.

The reason we must continue on trade with China is pretty simple. China is 22 percent of the world population. One out of every five individuals on this planet is Chinese. Over the next 20 or 30 years, China will become one of the most dangerous players in the world if we begin to try to isolate them; or, on the other hand, if we engage the Chinese, perhaps, not certainly but perhaps, we can enter into a period where the U.S. and China and other countries of the free world begin to operate and work together. This is a strategic issue for the United States. This is an important issue for the United States.

Let me address, if I may, the issue of human rights just for a moment in conclusion. Yes, there is political repression in China and there is very little political rights in China. On the other hand, with the continuing engagement of the U.S. and other countries with the Chinese, there are probably more personal freedoms than we have ever had. Hopefully that middle class in China will begin to understand that it must, over time, change its own government. That is the key to trade with China and that is the key to make China a more open form of government, along with the open economy it is trying to achieve at this time.

I urge a strong ''no'' vote on this resolution.

Mr. ROHRABACHER. Mr. Speaker, I yield myself 1 minute.

Let me again state, this is not about isolating China; this is not about not trading with China. Those arguments are irrelevant. Those arguments are not what this is about. Normal trade relations, by providing this privileged status for Communist China, simply says that if we provide that, and I am saying we should not, and those voting for this resolution are saying we should not, provides that we can subsidize the investment in China by the American taxpayers.

If my resolution passes today, people will still be able to trade with China all they want. They can sell all their goods, they can try to set up their factories, but they have to do so at their own risk. The reason the business community is fighting this is because we are then, by taking away normal trade relations with China, taking away their right to get government subsidies when they close factories here and set them up in Communist China. It does not isolate China. People can continue in engagement. We are just not going to subsidize them and subsidize the people who are providing them what they need to build their infrastructure to outcompete us. That makes all the sense in the world.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in support of this bill for a simple reason. This is not the time to reward a government which poses a threat to U.S. national security, which closes its markets to American products, which not only steals nuclear secrets from our labs but violates U.S. intellectual property rights. Before we extend normal trade relations to the PRC, we should ask ourselves what trading with this regime, an abuser of human rights, has accomplished thus far.

Has it accomplished the overall goal of changing unacceptable behavior by the Chinese Government? Are the Chinese people any freer? Are they able to exercise their rights as individuals and as citizens of the state without reprisals? Do American businesses have unlimited access to Chinese markets? Or are they subject to barriers and widespread discrimination? Are the American people any safer?

Reports by the Central Intelligence Agency show that 13 of China's 18 long-range strategic missiles have single nuclear warheads aimed at U.S. cities. China also has an array of strategic missiles that U.S. military and intelligence officials say are targeted on U.S. forces deployed in Asia.

Defense and intelligence experts show that China continues to transfer dangerous technology to Iran and Pakistan and is actively involved in the transfer of nuclear, chemical, and biological weapons and missiles to other rogue states. The PRC is subsidizing Chinese missile and nuclear industries and prolonging the status quo. We have all read with grave concerns the report by the Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China.

Looking at the issue from a strictly commercial perspective, looking at it as if trade is the most important aspect, affording China normal trade relations also makes no sense whatsoever. It would be rewarding China for its closed markets which in just the first 4 months of this year has resulted in an $18.4 billion trade deficit for the United States.

I urge my colleagues to vote for the bill to disapprove NTR for China.

Mr. CRANE. Mr. Speaker, I include for the RECORD the article referred to by the gentleman from California (Mr. MATSUI). It was an L.A. Times article that was written by the chairman of the Committee on Rules.

[From the L.A. Times]

END THE U.S.-CHINA ROLLER COASTER

(By David Dreier)

Twists and turns, slow and measured ascents followed by stomach churning plunges. A roller coaster at your local theme park? No, U.S.-China relations over the last few years. And it's a bad way for two enormous and important countries on opposite sides of the Pacific Rim to deal with one another. The U.S. should seize the upcoming opportunity to fashion common-sense trade rules that will offer the American and Chinese peoples greater hopes for stability, prosperity and freedom.

The U.S.-China relations roller coaster will crest this summer as the annual trade debate over normal trade relations—sometimes called ''most favored nation'' status—is merged with the more debate about China's admission to the World Trade Organization. These intricate trade negotiations and rules that are the stuff of lawyers and government officials are vitally important because prices, product quality, consumer choice, jobs and investments are ultimately tied to trade. Trade with Asia is critical to California's and America's continued economic growth.

The American people have been exposed to China in the last year like never before. Unfortunately, much of this attention has been the negative headlines of espionage, protests against the tragic mistaken bombing of the Chinese embassy in Belgrade and illegal campaign activities. Though these all deserve to be discussed and examined in full, what has not received enough attention has been the truly revolutionary change sweeping across China.

China is literally revamping its entire economic system, an enormous undertaking. It's the equivalent of the people switching to driving on the other side of the road, repudiating their whole political ideology and changing their economic language all at once. This type of economic and political revolution can't happen overnight. If it did, there could be such instability and shock to the system that retrenchment, bloodshed and political repression might reappear. When China tried swift, radical change during the Cultural Revolution and the Great Leap Forward, 60 million people died.

But things are changing in China, and mostly for the better. We can be under no illusions about the fact that the Beijing government is a repressive, authoritarian dictatorship. Yet although political rights are largely nonexistent, there is no question that personal freedom is on the rise, due in large part to market reforms.

Year after year, the United States has extended normal trading relations to China over the objections of those who think that curtailing trade will solve our problems with China. I have never understood the argument that limiting Chinese interaction with America's vibrant free market, democratic institutions and renowned individual spirit of free enterprise would somehow strengthen democratic activists and weaken entrenched hard-liners. Trade with China is not a gift or reward that should be given and taken away; it is a crucial tool needed to foster change and reform in a very old, proud and different culture.

This annual debate over commercial relations with China will end once that country

is admitted to the WTO and agrees to take the painful steps necessary to bring its economy in line with world standards and practices. China's WTO membership will bring major benefits to Americans, by fully opening China's vast market to American manufacturers, farmers and service industries. Of particular importance to my state of California will be the protections of intellectual property rights of our world-class entertainers and high-tech industries. What a win-win scenario this is for American workers, businesses and consumers.

As Americans, we must pursue China for our own self-interest as much as to help China get better, with the top priority being the safeguarding of our national security. China is a business partner, but we cannot confuse that with a strategic relationship. We do share some mutual interests that it is hoped would be increased as friendly ties improve. But just as a business wouldn't share its confidential marketing strategies or cost structure with a competitor, the U.S. government and American businesses must take care not to leak sensitive material to the Chinese government. China is simultaneously our business partner and our competitor.

What we must do is approve normal trade relations and its entry into the WTO for the sake of both our nations. A stable and open trade relationship, divorced form the wild roller coaster ride of yearly fights and political trends, will increase prosperity and improve the lives of the American and Chinese people.

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

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

Mr. WELLER. Mr. Speaker, I rise in opposition to this resolution and urge a ''no'' vote.

I stand here today in support of free trade with China, our globe's most populous nation, our fourth largest trading partner. When we have issues such as this before this House, I am often asked, as I travel throughout the diverse district that I have the privilege of representing, what does this all mean. What does this debate that we are having today mean to the folks on the South Side of Chicago and in the south suburbs of Illinois?

Exports to China total almost $1 billion from the State of Illinois. An economist will tell you that for every $1 billion in exports, it is over 17,000 jobs that are at stake. Illinois sent over 775 million dollars' worth of manufacturing exports, tractors made in the Quad Cities, industrial heavy equipment made in Joliet, food products, textile mill products, apparel, lumber and wood products, furniture, paper products, printing goods, chemical products, rubber and plastics, leather products, stone, clay and glass products, fabricated metal products, transportation equipment, electronic equipment, farm goods, corn, soybeans, wheat, pork, beef, all from the State of Illinois.

I learned firsthand in the late 1970s what it means for free trade with China. After President Nixon opened up China, we sent a shipment of breeding stock, breeding swine from Illinois to China and they came from our farm. That was the first shipment of American breeding stock to China. We learned the advantage personally at that time. But for thousands of Illinoisans, free trade means jobs.

When you think about it, this vote today could jeopardize over 17,000 jobs in Illinois. I urge my colleagues when they consider how to cast their vote as to which of their neighbors will lose their job if this resolution succeeds. I urge a ''no'' vote.

Mr. STARK. Mr. Speaker, I would just like to suggest that while there were $14 billion of stuff that we exported to China, you figure 20,000 jobs per billion, that is 280,000 jobs. That is hardly as many as the Chinese have killed in Tibet since their horrid reign. It is how you decide you want to take care of people.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. PELOSI), the leader in the fight for human rights in China, for sensible and reasonable trade negotiations that will lead to nonproliferation and workers' rights and human rights.

I ask unanimous consent, Mr. Speaker, at the conclusion of her remarks that she be allowed temporarily to control my time.

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

There was no objection.

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Ms. PELOSI. Mr. Speaker, I have to husband the time very carefully because we proudly have so many people who want to come to the floor today to speak on behalf of human rights in China, fair trade for the United States, and a safer world.

Mr. Speaker, we are here today because the President must request a special waiver to grant what is now called normal trade relations to China. He must request a special waiver for normal trade relations to China. What we are not here about today is to isolate China or any discussion of it. So anyone who is on the other side of this issue who wishes to characterize those of us who want to help the Chinese people as isolating them do a grave disservice to the debate.

The issue is not whether bringing this issue every year is productive or constructive or has improved human rights in China. The issue before this body is: Is the present policy, the Bush-Clinton China policy, working?

We were told when they delinked trade and human rights that it would lead to improvement in both. Wrong, it has led to failure in both.

Now we are calling this normal trade relations because we changed the name last year. There have been all kinds of name changes. For example, this policy was called constructive engagement before. It was neither constructive nor true engagement, so then they changed it to a strategic partnership. It was not that either, so now they call it purposeful, principled engagement with our eyes open.

Do not take my word for it, it is in their book: Purposeful, principled engagement with our eyes open.

Mr. Speaker, that is a refreshing change from with our eyes closed, blinded to the atrocities in China and the unfair trade practices and the proliferation of weapons. And I am just waiting for next year when I think maybe it will be called purposeful, principled engagement with China with our eyes wide open and the wax cleaned out of our ears.

Because then, maybe then, the administration and the proponents of this absolute concession to China, maybe then with the wax cleaned out of their ears, they will hear the pleadings of the monks and nuns in Tibet who have been tortured for decades by the People's Liberation Army. They will hear them over the sound of the army of lobbyists here in Washington, D.C. here to lobby on this issue. And maybe then with the wax out of their ears, they will hear the crying of the Panchen Lama, the baby chosen by His Holiness to be the next Dalai Lama, kidnapped by the regime. And we have said nothing.

Maybe then they will hear that baby cry over the clinking of champagne glasses as they toast the abusers of human rights in China. And maybe with the wax out of their ears they will hear the cries of people still in prison for speaking freely. Maybe then they will hear the pleadings of the families and the prisoners still in prison, hundreds of them, for speaking freely in Tiananmen Square, and the thousands who are in jail because of their religious beliefs.

Mr. Speaker, I want to put in the RECORD the statement of the U.S. Catholic Conference of Bishops opposing renewing MFN and in support of this resolution:

DEPARTMENT OF SOCIAL
DEVELOPMENT AND WORLD PEACE,
*Washington, DC, June 30, 1999.*

DEAR REPRESENTATIVE: The upcoming vote on extending ''normal trade relations'' status to the People's Republic of China presents the Congress with a significant opportunity and challenge to send an unmistakably clear message about our national concern for the protection of basic human rights.

Each time over the past several years when the issue has arisen, it has been our conviction that no Administration has been sufficiently committed to pressing the Chinese authorities on their systemic violations of certain fundamental human rights. Our Conference has focused particularly on the issues of religious freedom and we have repeatedly cited the persecution of religious groups, such as the unregistered Protestant and Catholic churches, and the intrusive interference by the state in the internal life of the ''open'' or recognized churches. The persecution and control of Tibetan Buddhism is especially shameful and known to all.

We acknowledge that the present Administration has made efforts to raise these issues with the Chinese authorities, but little, if anything, has changed on the human rights

front in these last years of increased engagement. Indeed, the continued detention of religious figures as well as of democracy advocates only point up the necessity for unrelenting official U.S. firmness on issues of human rights and religious freedom.

The trade status debate may not be the best forum, but it does offer the Congress an important opportunity to raise the priority of human rights and religious liberty. Therefore, I urge you to send as clear a message as possible by voting to overturn the President's waiver of the relevant sanctions of the 1974 Trade Act. A strong vote to deny MFN/NTS status to China should strengthen the Administration's commitment to putting human rights at the top of the China agenda and send a strong signal that the status quo is not acceptable.

Sincerely yours,

MOST REVEREND
THEODORE E. MCCARRICK,
*Archbishop of Newark, Chairman, International Policy Committee, U.S. Catholic Conference.*

So, Mr. Chairman, I plead with my colleagues who have voted on the other side of this issue. Ten years is enough. The trade deficit has gone from 3 billion to 56 billion. It will be $67 billion for this year.

It has not led to better trade relations, it has not led to more U.S. products going into China. Quite the reverse. A $67 billion trade surplus for the regime to consolidate its power, the proliferation of weapons of mass destruction continues, the human rights violations continue. And this past week, they have arrested between 10 and 20,000 people for the practice of their self-help, for their own self-help group. Ten to 20,000 people, no food, no water. Do not give the regime a waiver to abuse human rights, abuse trade practices, and proliferate weapons of mass destruction.

Vote for the Rohrabacher amendment. This is not normal.

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

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

Mr. ROEMER. Mr. Speaker, I rise in strong support of normal trade relations with China and do so because we are confronted with two choices. The choices are clear and simple. We can have a constructive and purposeful engagement policy with China or we can have a new Cold War with a new evil empire with new costs to our taxpayers for a larger defense budget.

Now I think that we have made some limited progress with China, probably the most important bilateral relationship that we are going to have with any country in the world over the next 50 years. What are some of the things that we have done where we have been successful? We hear a lot of the problems on the floor today. Well, one example is the East Gates International headed by Ned Graham, the son of the Reverend Billy Graham, has been able to distribute 2.5 million Bibles legally in China since 1992 and help us work toward some more religious freedoms.

With respect to proliferation and arms control efforts, China has joined the nuclear nonproliferation treaty; they have signed a chemical weapons convention; they have signed the biological weapons convention; they have signed the Comprehensive Test Ban Treaty; and they have signed the International Convention on Civil and Political Rights.

Now there are some successes. Have they made enough progress on human rights? Absolutely not, and that is one of the reasons why we need to engage them, and I had a meeting with a host of my colleagues at Blair House with Premier Zhu Rongji a few months ago, and we pushed him and we pushed him and we asked questions and we tried to get him to do more and more and more on the human rights issue.

But the choice is clear. Are we going to have a constructive engagement policy with China or a new evil empire with China? Please vote down this policy on the floor today.

Mr. Speaker, I rise in strong opposition to H.J. Res. 57, disapproving the President's request to provide ''Normal Trade Relations'' (NTR) in 1999 with products made in China. Since I have served in Congress, I have supported ''constructive engagement'' with China as a method of improving our critically important bilateral relationship and pursuing our foreign policy goals to advance human rights and religious freedom. While progress at times remains slow and painful, continued talks and diplomacy are key aspects of this important bilateral relationship.

Ten years ago in Tiananmen Square, Chinese students courageously demonstrated in support of democracy, but they were met by violence from a regime fearful of change. We continue to stand for human rights in China, and I firmly believe that a continued policy of principled and purposeful engagement reinforces our efforts to move China toward broader freedoms and openness. We have successfully influenced China to make significant progress, but much more must be achieved.

We continue to have serious differences with China on human rights, their efforts to acquire sensitive information, nuclear nonproliferation, regional stability and transnational threats such as drug trafficking, terrorism, and smuggling people across borders. We will continue to deal directly with these differences. As the President stated when he announced his decision to extend NTR: ''We pursue engagement with our eyes wide open, without illusions.''

Accordingly, we should continue to speak and negotiate frankly about our differences and to firmly protect our national interests. However, a policy of disengagement and confrontation would serve only to strengthen those in China who oppose greater openness and freedom. Through constructive engagement, we will remain sensitive and respond quickly to ongoing human rights violations, including China's recent massive crackdown on members of Falun Gong and religious suppression in Tibet and against Protestant ''house churches'' in Henan.

In particular, we should call for the immediate release of three Chinese activists—Xu Wenli, Qing Yongming and Wang Youcai—who received stiff prison sentences for advocating the China Democracy Party last year. Earlier this year, I met Premier Zhu Rongji at the Blair House and wrote a follow-up letter that was signed by ten Members of the House of Representatives who support NTR in which we called for their immediate release.

Clearly, trade encourages human rights, and it has facilitated the work of Western religious ministries active in China. For example, East Gates International, headed by Ned Graham, son of evangelist Billy Graham, has been able to distribute 2.5 million Bibles legally in China since 1992. This organization can communicate freely with its contacts in China because of the proliferation of information-exchange technology such as e-mail, faxes, and cellular telephones—a development made possible by trade and economic reform. As Billy Graham has written, ''Do not treat China as an adversary but as a friend.''

Revoking NTR would rupture our relationship with a third of the world's population and jeopardize our political and economic security. Such an action would make China more defensive, isolated and unpredictable, weakening the forces of change and nullifying the progress achieved so far. Moreover, revoking NTR would undermine our efforts to engender constructive Chinese participation in international organizations that will promote China's adherence to international standards on human rights, weapons of mass destruction, crime and drugs, immigration, the environment, economic reform and trade. Indeed, constructive engagement means advancing U.S. interests in tangible ways.

As Brent Scowcroft said in a recent New York Times article, ''The U.S. has at least another two decades to encourage China's responsible development before it presents us with a direct military challenge. As China's intentions are clarified by its actions, the U.S. and its regional partners will be able to make constant course adjustments.'' To be sure, we will keep a close eye on China, particularly in the wake of its recent moves in the disputed Spratly Islands where it has unilaterally installed military facilities, and its hostile posturing against Taiwan.

While the Cox Report uncovered troubling lapses in security at the U.S. national laboratories, we must maintain perspective on China's limited but emerging military capability. To that end, we should continue to engage China in easing tensions on the Korean Peninsula, as well as cooperative efforts to combat terrorism, drug trafficking and intellectual property piracy. As a result of our engagement policy, China has joined the Nuclear Nonproliferation Treaty and Zangger Committee, the Chemical Weapons Convention, and the Biological Weapons Convention. Additionally, China signed the Comprehensive Test Ban Treaty and pledged to ratify it soon, and has ceased nuclear cooperation with Iran.

Furthermore, maintaining NTR with China—as every President has requested since 1980—is good for U.S. farmers, workers, small businesses, and the economy. Last year, we exported $14 billion worth of goods, making China our largest growing market abroad. Revoking NTR would invite retaliation against U.S. exporters and investors, as tariffs on imports from China would immediately increase from an average 6 percent to 44 percent. In turn, China would immediately start buying from our European and Asian competitors. This would seriously jeopardize more than 400,000 U.S. jobs which currently depend on exports to China and Hong Kong.

Moreover, withdrawing from our constructive engagement policy will preclude us from pursuing opportunities to open new markets to American products. Earlier this year, the U.S. negotiated far-reaching market access for agricultural and industrial goods as well as a wide range of service sectors. Additionally, significant agreements were reached on important rules of commerce, but differences remain on the implementation and duration of provisions governing dumping and product safeguards.

We also successfully negotiated tariff reductions with China from 80 percent to 25 percent in the year 2005, with auto tariffs decreasing to an average of 10 percent. However, without NTR, we cannot reasonably hope to pursue additional tariff reductions to further open Chinese markets to U.S.-made automobiles, nor improvements to improved consumer financing so that more autos can be purchased. We must also encourage China to update its antiquated distribution system which penalizes foreign competitors.

Improving trade relations is similar to peeling an onion, as numerous layers must be pared before the job is finished. I am hopeful that the Chinese will approach improving future trade relations with a view to the whole picture, rather than making small adjustments one layer at a time. At the same time, China must demonstrate progress for individual liberties by releasing arrested political, religious and human rights activists, if they hope to continue to enjoy strong relations with the United States.

Mr. Speaker, I am confident that constructive engagement with China will lead to positive results, advancing our trade interests and foreign policy goals of religious freedom and improved human rights. I strongly encourage my colleagues to support constructive engagement and vote against this resolution to disapprove Normal Trade Relations with China.

Mr. ROHRABACHER. Mr. Speaker, I am happy to hear about all these agreements Communist China has signed.

Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. WOLF).

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

Mr. WOLF. Mr. Speaker, I rise in opposition to MFN. I know it is a difficult vote for a lot of Members and there is a lot of soul searching, so I just want to tell people why I am strongly opposed to MFN.

For me it is an issue of the soul; it is an issue of conscience; it is an issue that 10 years from now when I look back, I want to know that I did maybe not what was right, maybe people differ, but what I think my God told me to do.

Now I think we maybe in a situation similar to the Parliament in the 1930's in Great Britain when Winston Churchill tried to alarm people about what was taking place, and yet they still wanted to trade with Nazi Germany, and Nazi Germany went on to do horrific things. My sense is, and I hope I am wrong, but that is what is going to happen today with China.

And I would say to my friend from Indiana, they are the evil empire and they are the evil empire like Ronald Reagan said in 1983 with regard to the Soviet Union.

There are 13 Catholic bishops in jail in China today. I would change my vote if they set those bishops free. Bishop Su, who has been in jail because he gave holy communion to the gentleman from New Jersey (Mr. SMITH); he has been in jail for over 20 years. Thirteen Catholic bishops, a large number of Catholic priests are in jail. There is the gentleman from New Jersey (Mr. SMITH). He can tell my colleagues; go up and ask him. Bishop Su is in jail because of giving him holy communion.

So the next time on Sunday the call comes to go forward to the rail when colleagues take holy communion, think about Bishop Su. I hear all these missionaries quoted. Does anyone ever quote Bishop Su any more? Does anyone even ask to see Bishop Su any more?

There are a large number of Catholic priests in jail. There are a large number of evangelical house church people that are in jail. Muslims in China are being persecuted like my colleagues will not believe. I have a letter talking about electric volts and shocks being used on the Muslims.

Then there's Tibet. I am the only Member of Congress who has been to Tibet for years. When I was there, and we came in not as a Member of Congress, but as a tourist, I was told of unbelievable persecution. Lhasa is a Chinese city. It is no longer a Tibetan city. The Chinese government has destroyed 4,000 monasteries, not 4 monasteries, but 4,000 monasteries.

There are more slave labor camps in China today than when Solzhenitsyn wrote the book Gulag Archipelago. The book was a best seller. We all went out and hailed it, and it broke the world open. There are more gulags, more gulags in China today than there were when Solzhenitsyn wrote the book on the evil empire in Russia. If you don't believe it, call the CIA; they can share the pinpoint maps.

Then there are forced abortions. They track women down and throw them on the table. The gentleman from New Jersey (Mr. SMITH) can tell my colleagues about forced abortions. In some respects this ought to be a major pro-life vote. Steve Mosher of the Population Research Institute told me the other day there were 12 to 15 million abortions last year in China, and it is basically the abortion capital of the world. I do not understand, frankly, why this is not a pro-life vote.

Then there is slave labor. There are Chinese workers, slave laborers, in Sudan building a pipeline, and in Sudan every major terrorist group in the world, Abu Nidal, Hamas are all there.

What would my colleagues tell Bishop Su if we could see him today? I want to tell him that I know we will not take away MFN, but I wanted to send a message with my vote. I urge my colleagues to talk to the Romanian people. When we took MFN away from Ceausescu, the people told us that they heard the news on Radio Free Europe, and I want to send a message to the Chinese people on Radio Free Asia that the Congress stood with them on behalf of the persecuted church in China. There are good and decent men and women on both sides. For me, this is a vote of conscience and I urge support of the Rohrabacher resolution.

Mr. Speaker, I rise in strong support of H.J. Res. 57, the resolution disapproving normal trade relations (NTR)—formerly called Most-Favored-Nation (MFN) status—with the People's Republic of China. I commend my colleague from California, Representative ROHRABACHER, for sponsoring this legislation. I also want to applaud the valiant and always steadfast efforts of Representative NANCY PELOSI. She is a consistent voice for freedom in China and a true advocate for human rights around the world.

Today, while we debate this issue on the floor of the House of Representatives, the Chinese government is suppressing and persecuting practitioners of Falun Gong. In the past several weeks, China has been engaging in one of the largest crackdowns of a group of people since the Tiananmen massacre of 1989. Thousands of Falun Gong practitioners, including many of its leaders and government officials, have been arrested. It is estimated that over 40 million people in China practice Falun Gong, many of them poor or unemployed. They are not involved in politics, but the Chinese government has chosen to crack down harshly on this movement.

This illustrates perfectly why I continue to oppose NTR for China. Many argue that the way to improve human rights in China is to keep giving China NTR status. The problem is that this has been our policy for the past ten years, but human rights have not improved. China's human rights record is as bad today as it was in 1989, when the Chinese government killed and injured hundreds of students who were peacefully demonstrating for political reform on Tiananmen Square.

The persecution of the underground Christian church continues.

Many Protestant pastors, Catholic bishops and priests are still being arrested, fined, beaten and imprisoned. Some have been in prison for many, many years—even decades. I will insert for the RECORD a partial list of Chinese Christians currently detained or imprisoned for religious reasons.

House church Christians and laypeople are still being arrested, fined, beaten and imprisoned.

Churches are still being destroyed.

Bibles are still being confiscated.

The Tibetan culture and religion are still being systematically destroyed. Tibetan Buddhist monks and nuns are being arrested and tortured. Tibetan Buddhist monasteries are still being controlled by cadres of Chinese communist security officials. The Tibetan people are still being deprived of their freedom, their livelihood and their culture.

I have seen the repression in Tibet with my own eyes. It is frightening.

Muslims in the Northwest portion of China are still being persecuted—Amnesty International issued a comprehensive report on persecution of Muslim Uyghurs earlier this year. Uyghurs are being arbitrarily detained.

Thousands of Uyghur political prisoners are in jail and are being tortured. Recently, a group of Uyghurs shared with the Congressional Human Rights Caucus how they had been tortured in prison. I am submitting for the RECORD the testimony of Mr. Abdugheni Musa, who was arrested and tortured in 1995 for organizing a peaceful youth rally.

Democracy activists are still being watched, arrested, imprisoned, held under house arrest and sent to reeducation through labor camps. Scores of individuals associated with the Democracy Party have been arrested and given long sentences just in the last few months.

Over one hundred Tiananmen Square protesters are still in prison.

Those wishing to remember the 10th anniversary of the tragic events of spring 1989 when hundreds of protesters were brutally massacred at Tiananmen Square were prevented by the Chinese government from doing so. The families of the dead, wounded and exiled who are demanding an apology from the government of China for its actions in 1989 are being persecuted.

The Chinese government allowed and encouraged protesters to destroy the U.S. Embassy in Beijing. They bused in people. The Chinese Ambassador insulted the intelligence of the American people on Sunday talk shows with his demands.

China still runs a massive system of gulag slave labor camps—the laogai. The State Department's 1998 report on human rights in China said 230,000 people were detained in ''re-education through labor camps'' in China at the end of last year. People are sent to re-education through-labor camps without a trial or any kind of judicial proceeding.

China still has a program in which the kidneys, corneas and other organs are taken from executed prisoners and sold to foreign buyers for tens of thousands of dollars. Some of these organs are being peddled in the United States, against U.S. law.

It still engages in coercive population practices—including forced abortions and sterilizations. There are 7 to 15 million abortions a year in China, 6 to 12 times more than in the United States. According to the Population Research Institute, most of these abortions are performed under duress, with threats, bribes and sanctions—and sometimes outright force—used to elicit compliance.

So nothing has really changed with regard to human rights in China.

Our policy has done nothing to improve China's behavior regarding proliferation. According to Director of Central Intelligence George Tenet, China remains a ''key supplier'' of technology inconsistent with our nonproliferation goals—particularly missile and chemical technology to Pakistan and Iran. On April 15, 1999, the Washington Times cited intelligence reports that the Chinese are continuing to sell weapon technologies.

Finally, our policy has resulted in no improvement in ending China's unfair trade practices. The U.S. trade deficit with China continues to skyrocket (approaching over $60 billion), U.S. goods are shut out of China's market and U.S. jobs continue to be lost to cheap Chinese labor. In 1989, at the time of the Tiananmen massacre, our trade deficit with China was only $6 billion. today it is 10 times that.

This year a new element has been thrown into the mix that should make this Congress think twice about continuing our business-first policy—undisputed evidence of China's espionage in U.S. nuclear labs and its acquisition of knowledge about some of America's most advanced nuclear warheads.

As I look at this issue and the Cox report, I am concerned that the United States will be providing China the economic means through trade to develop missiles on which to attach advanced nuclear warheads designed with information stolen from the United States so these missiles can then be used to hit our grandchildren, or even our children.

the report of the bipartisan Select Committee on National Security and Military/Commercial Concerns with the People's Republic of China chaired by Representative CHRIS COX found clear evidence that design information stolen from the United States will enable China to build thermonuclear warheads and attach them to ICBM missiles sooner than would have otherwise been possible. It said ''the PRC has the infrastructure and the technical ability to use elements of U.S. warhead design information in the PLA's next generation of thermonuclear weapons. . . . The PRC could begin serial production of such weapons during the next decade. . . .'' It also concludes, ''The Select Committee judges that elements of the stolen information on U.S. thermonuclear warhead designs will assist the PRC in building its next generation of mobile ICBM's, which may be tested this year.'' China's mobile ICBM missiles will have the ability to hit the United States.

We are giving China the economic means to develop these weapons.

While it may be painful for some if we restrict China's ability to trade on favorable terms with the United States, China is now a greater threat to the U.S. national security than it has ever been in the past.

We also need to remember that China has deliberately tried to influence our political process through illegal campaign donations.

Our current policy has yielded very little progress on issues that the American people care about. Some 67 percent of Americans surveyed by Zogby earlier this year said that they would like the U.S. to put increased restrictions on trade with China because of China's human rights abuses. Many Americans are concerned about China's nuclear espionage as well.

It is interesting to note that in years past, when the Chinese government actually feared that MFN would be taken away by this Congress, people were released on their treatment in prison improved. Wei Jingsheng, one of China's most noted dissidents, wrote in a recent message to Congress, ''Although the lack of willpower and consistency in U.S. policy have prevented effective pressure on China to democratize, the effectiveness of the use of the MFN issue to improve conditions for political prisoners and limit arrest of dissidents has been clearly shown.''

He has a personal example. In late 1993, after serving 14 years in jail, he was released from prison at a time when China wanted to be selected to host the year 2000 Olympics and President Clinton had publicly threatened now to renew MFN again unless human rights improved. He was arrested again in early 1994, but kept in a guest house where he was free to go out for dinner with a police escort. Once President Clinton assured the Chinese privately that he would delink trade from human rights in 1994, Wei was moved to a harsh prison where conditions were very bad. He as kept there until he was released on medical parole in 1997 after intense international pressure.

I submit for the RECORD a copy of his statement.

Nobody has been released in the last few weeks in China. Quite the opposite. China is engaged in one of the harshest crackdowns on dissent this decade.

China knows they have nothing to fear from this Congress. Beijing is confident that trade will trump everything else and the American government will continue to make any concessions necessary to ensure favorable conditions for trade.

This Congress must stand up for the values of freedom and democracy. We must be on the side of those fighting for freedom, not standing with the oppressors. The hundreds of political and religious prisoners in jail in China today are counting on this Congress to speak out for them. It may be the only thing that saves their life or wins their freedom.

Trade has not brought freedom to China despite ten years of unconditional NTR, but this debate and vote is not actually about restricting trade with China. We all know that at the end of the day the status quo will not change. But if the House were to disapprove NTR for China, it would send a powerful message to Beijing—one the Chinese government will not forget.

Let's change our course—let's vote for one year not to renew NTR.

Think about the Catholic bishops, the Catholic priests, the Tibetan Buddhist monks and nuns, the Falun Gong practitioners, the Uyghur Muslims, the democracy activists and the many, many others who are sacrificing their freedom for their beliefs. Think about them when you cast your vote. Our current policy has done nothing to help them. This vote may be the only hope they have.

PERSONAL TESTIMONY

Dear honorable congressmen and congresswomen,

Today I thank you very much for giving me this precious opportunity to testify before you. My name is Abdugheni Musa. I am a Uyghur from Ghulja City in the Xinjiang Uyghur Autonomous Region of P.R. China. I want to testify on the brutal torture methods of the Chinese government through my personal accounts of suffering in the Chinese prison.

In February 1995, some young Uyghur businessmen and I organized The Ili Youth Mashrap, a traditional Uyghur cultural event, in order to improve morality, say no to drugs, strengthen our religious faith and build local economy. This traditional event had a very strong social impact on the Uyghurs in Ghulja City and was welcomed everywhere.

However, the social impact of Mashrap shocked and worried the Chinese authorities. Thus, it became the very reason for the Chinese government to suppress the Mashrap and its participants.

First of all, the Chinese government labeled Mashrap as illegal and then started arresting the Uyghur youth that organized and participated this event.

The Ghulja municipal police arrested me on June 7, 1996 and detained me in Yengi Hayat prison. In jail, I constantly and repeatedly faced physical and mental torture from the Chinese prison guards.

Two days after my arrest at 12:30 a.m., the Chinese prison guards dragged me into a

basement interrogation cell and started interrogating and torturing me. Since then, the Chinese guards started a habit of torturing me every night.

All of these Chinese guards spoke very good Uyghur language. These Chinese guards put me in the electric chair for seven times. For five times, they put a high voltage electric shocker on my head that caused extreme convulsion all over my body. My heart irregularly pounded and my eyes blackened. I fainted several times during the tortures.

Exactly on the seventh day of my arrest, again the Chinese guards dragged me to the basement for confession in the middle of the night and inserted a wire with horsehair on top into my genital. The more the guard inserted the more he wound it. This caused severe damage to my urinary system. As a result, my genital swelled up and I urinated blood for more than a month.

During the torture, one of the Chinese guards pointed his finger at me and said, ''We will castrate the inferior masculinity of your turban-heads and prostitute your girls. What can you turban-heads do to us great Chinese nation? With our spit, your will all drown.'' Then, they used electric club and knocked me down again and again.

For three times, the Chinese guards allowed the Chinese inmates to brutalize me. For many times, the Chinese inmates kept me standing awake for several days. I fainted almost every time when they did this to me. They forced me to squat and put my hands back to kiss the wall from a meter apart. The Chinese inmates kicked me, hit me and punched me whenever I failed to kiss it. I bumped into the wall and my nose started bleeding.

The Chinese prison guards seriously tortured, brutalized and severely injured me for more than one and a half-month. In the end, I collapsed because of fever, coughing with blood, sweating, frailty, lung problems and genital pain. I could stand and go to the restroom only with the help of others. I was bedridden for many days in the cell.

On July 20, The Chinese prison doctor came to see me. He was shocked to know my physical problems. Then, for fear of my death in jail, he ordered the jail to send me to the municipal military hospital on July 25th.

I stayed for only a week in the hospital. And then I escaped the hospital on August 3. Later, I successfully escaped to Kazkhstan via Korghas border on August 5.

While I was in Chinese prison, the Chinese police but six of my Uyghur friends and me into the same jail. Like me, all of them faced serious tortures from the Chinese prison guards to confess. We were all forced and tortured to confess that Mashrap was organized to carry out anti-Chinese government activities and separating Xinjiang from China. However, in the face of extremely painful tortures, all of us denied these charges.

On July 5, the Chinese guards dragged all of us into the basement interrogation cell and forced us to confess our crimes. We told the guards that we had nothing to confess since we didn't break any law. The angry Chinese guards stripped Yusuf naked and forced him to confess. Since he denied all the criminal charges and said Mashrap was a traditional and cultural Uyghur event aimed at improving moral and social values.

The Chinese guards couldn't find a way for him to confess, and also hoping to teach all of us a lesson, brought in two German shepherds in the cell and started using the dogs to bite naked Yusuf. One of the dogs viciously attacked him and bit his genital. He fell and crawled on the floor holding his private area. But the ruthless Chinese guards continued to molest him with the dogs hoping to annihilate our will of resistance.

Yusuf and I were put into the same cell at that time. Today he is still serving prison terms in the Chinese prison.

To get his confession, the Chinese guards tortured my friend Abdusalam Keyim on a high voltage electric chair. Then he was stripped naked and forced into an extremely low degree freezer. Later, the Chinese guards nailed metal sticks into his fingers and pulled out his nails one by one. In the end, they hit the back of his head with an electric bar and permanently damaged his brain. Since then, be became mentally insane and released from the jail. Abdusalam was from the Watergate neighborhood in Ghulja City.

My friend Muhammad Eli Mamatimin faced the most brutal torture in jail. One day he was forced to confess his crimes by the Chinese guards. He denied every single charge. To punish him, the guards put a wine bottle into his anus and kicked the bottle every time he denied one charge. Immediately he internally bled and fainted. Then, we has taken into the cell. We was what the Chinese guards did to him and all of us cried. Since then, Muhammad couldn't sit or sleep on his back and walk straight.

The most shocking and heinous crime the Chinese prison guards committed in jail is that they allowed the Chinese inmates to rape the Uyghur girls by taking turns. On 27 in June 1996, the Chinese prison guards brought Peride, a 21-year old pious Uyghur Muslim girl, from the ladies cell into the men's jail. The Chinese guards striped her naked and told her to ask her God to save her. Later, they put her naked into a cell with six Chinese inmates. These six Chinese criminals took turn and raped her one by one.

We heard Peride's painful cries coming out of the Chinese cell. We yelled, cried, kicked the metal bars and the wall. Instead of punishing the Chinese inmates, the guards furiously rushed into our cell and beat us up with electric bars. Then, they held Peride out of the Chinese cell since she was already fainted. Peride was from the Konqi neighborhood in Ghulja City.

When I escaped to Kazakhstan, a friend of mine who was put in this jail told me the following account. One day in January 1997, the Chinese prison guards stripped Rena, a 23-year old Uyghur girl, naked and put her into Chinese cell. Like Peride, Rena was group-raped by the Chinese inmates. Rena was from Kepekyuzi village at the Jilyuz County.

Now I want to give a list of names of my Uyghur friends and acquaintances that suffered and continually suffered in the Chinese prisons. Some of their whereabouts are still unknown or missing today.

1. Turghan Tursun, 27, religious student, arrested on February 5, 1997 as a ''separatist''. He was sentenced to 5-year in jail. Currently, Turghan is serving his prison terms in Ili Prefecture Jail. He was from Ghulja tannery.

2. Iminjan, 29, teacher, arrested after February 1997 as a ''separatist''. He was sentenced to 15-year in jail. Currently, Iminjan is serving his prison term in Ili Prefecture Jail. He was from Ghulja tannery.

3. Yusufjan Eysa, 29, private businessman, arrested in January 1997. He was missing for one year. Later found by his father in Qapqal jail. Yusufjan was sentenced to 5-year in jail. Currently, he is serving his term at Ghulji municipal prison.

4. Seydehmet Yunus, 24, religious student, arrested in April 1998 as a ''separatist''. He was from Erkin Street in Ghulja City. He is still missing.

5. Ablet, 26, religious student, arrested in April 1998 as a ''separatist''. He was from Mashrapbay Street in Ghulja City. He is still missing.

6. Tursun, 26, religious student, arrested in April 1998 as a ''separatist''. He was from Totdukan neighborhood in Ghulja City. He is still missing.

7. Kahar, 26, religious student, arrested in May 1998 as a ''separatist''. He was from Totdukan neighborhood in Ghulja City. He is still missing.

8. Ablikim Muhammadjan, 24, religious student, arrested in April 1998 as a ''separatist''. He was from Dong neighborhood in Ghulja City. He is still missing.

9. Mirzat, 25, religious student, arrested in April 1998 as a ''separatist''. He was from the Watergate neighborhood. He is still missing.

10. Zulpikar Mamat, 26, religious student, arrested in March 1998 as a ''separatist''. He was from Aydong neighborhood in Ghulja City. He is still missing.

11. Ilyar, 26, religious student, arrested in May 1998 as a ''separatist''. He was from Urumqi Nenming neighborhood. He is still missing.

12. Dawud, 28, religious student, arrested in May 1998 as a ''separatist''. He was from Azatyuz village at Jeliyuz County in Ghulja. He is still missing.

13. Ablet Karihaji, 53, a religious mullah, arrested in December 1996 as a ''separatist''. He was sentenced for 20 years. He was from Kepekyuz village at Jeliyuz County in Ghulja. Due to severe torture, he was taken out with a handcart to meet his wife and kids when they came to visit him in prison.

14. Muhammadjan Karim, 29, religious teacher, arrested in June 1997 as a ''separatist''. He was from Topadeng neighborhood in Ghulja City. He is still missing.

15. Sultan Tursun, 25, religious student, arrested in February 1997 as a ''separatist''. He was Dong neighborhood in Ghulja City.

Dear ladies and gentlemen, all of these people are my good friends. The Chinese government has imprisoned a person from almost every Uyghur family in Ghulja City since 1996. At present, the Chinese government is still arresting hundreds of Uyghurs and mercilessly torturing them in the prisons. The Chinese human rights violation of the Uyghur people is nowhere to be found in the world.

It is my sincere hope from the bottom of my heart that the United States, the United Nations, and the international community take necessary measures to guarantee the fundamental human right of the Uyghur people and help free all the Uyghur political prisoners in the Chinese prisons.

Thank you,

Abdugheni Musa.

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DEPARTMENT OF SOCIAL DEVELOPMENT AND WORLD PEACE,

*Washington, DC, June 30, 1999.*

DEAR REPRESENTATIVE: The upcoming vote on extending ''normal trade relations'' status to the People's Republic of China presents the Congress with a significant opportunity and challenge to send an unmistakably clear message about our national concern for the protection of basic human rights.

Each time over the past several years when the issue has arisen, it has been our conviction that no Administration has been sufficiently committed to pressing the Chinese authorities on their systemic violations of certain fundamental human rights. Our Conference has focused particularly on the issues of religious freedom and we have repeatedly cited the persecution of religious groups, such as the unregistered Protestant and Catholic churches, and the intrusive interference by the state in the internal life of the ''open'' or recognized churches. The persecution and control of Tibetan Buddhism is especially shameful and known to all.

We acknowledge that the present Administration has made efforts to raise these issues with the Chinese authorities, but little, if

anything, has changed on the human rights front in these last years of increased engagement. Indeed, the continued detention of religious figures as well as of democracy advocates only point up the necessity of unrelenting official U.S. firmness on issues of human rights and religious freedom.

The trade status debate may not be the best forum, but it does offer the Congress an important opportunity to raise the priority of human rights and religious liberty. Therefore, I urge you to send as clear a message as possible by voting to overturn the President's waiver of the relevant sanctions of the 1974 Trade Act. A strong vote to deny MFN/NTS status to China should strengthen the Administration's commitment to putting human rights at the top of the China agenda and send a strong signal that the status quo is not acceptable.

Sincerely yours,

MOST REVEREND THEODORE E. MCCARRICK,

*Archbishop of Newark; Chairman, International Policy Committee, U.S. Catholic Conference.*

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FRC URGES HOUSE TO TAKE A STAND FOR HUMAN RIGHTS AND FREEDOM, REJECT ''ABNORMAL TRADE RELATIONS'' WITH CHINA

WASHINGTON, DC.—''On June 3, President Clinton with callous audacity commemorated the eve of the 10th anniversary of the Tiananmen Square massacre by asking Congress once again to reward China with renewal of its Normal Trade Relations (NTR) status. A strange thing to do, considering that there's nothing 'normal' about U.S. relations with China,'' said Bill Saunders, Foreign Policy and Human Rights Counsel for Family Research Council (FRC), on Thursday. ''What is normal about conducting business as usual with a Chinese regime that lies to its people about NATO's accidental embassy bombing and virtually holds our ambassador hostage in the U.S. embassy by staging riots around him?''

While the President insists that the Administration's policy of ''constructive engagement'' is having a positive impact in China, all of the evidence shows that this is not true. The State Department's annual Human Rights Report released in February found that human rights deteriorated significantly in China in the past year. Along with the ongoing crackdown on political dissidents, the report highlighted religious persecution of Protestant and Catholic groups, continued abusive reproductive policies including forced abortion, and persecution of ethnic minorities. The Cox Report reveals that espionage can occur and national security can be threatened when we treat an authoritarian regime as if it's a democratic ally sharing American interests.

''The last time America seriously debated China's trade status, two years ago, it went by another name, Most Favored Nation (MFN). Changing MFN's name can't change the fact that there is less reason for normal trade with China today than there was in 1997,'' said Saunders. ''The situation in China has gone from bad to worse, and the U.S. government is enabling the Chinese regime to continue its stranglehold on the Chinese people.

''The Congress must take a stand for the self-evident truth that all people, including the Chinese people, are endowed by their Creator with certain unalienable rights. The Congress must turn rhetoric about freedom into action to secure freedom. The Congress must reject NTR for China.''

GENERAL BOARD OF CHURCH AND SOCIETY OF THE UNITED METHODIST CHURCH,

*Washington, DC, July 26, 1999.*

DEAR REPRESENTATIVE: This week's vote on whether to extend most favored nation status to the People's Republic of China presents Congress with a basic choice about human rights.

Every year when the issue has been voted, we have watched carefully for signs of improvement in China's human, labor, and environmental rights record. Last year, we did not urge Congress to withhold this trading status from China. We were waiting to see if the Administration's overtures to China lead to changes in China's actions. In the past year, however, despite promises from the Clinton Administration, that China's policies were improving, we have observed slippage in the most basic rights in China.

The persecution of indigenous people and their religions is of special concern to me. The situation of the Tibetans is most well known, but all of the 50 or so indigenous peoples in China experience restrictions of their freedoms.

The Clinton Administration has made an effort to raise issues of human rights, labor rights, and religious freedom with the Chinese, but little has changed. The current detention of members of the Falun Gong sect suggested that the Chinese policies have changed in the wrong direction. Other religious leaders and democracy activists still languish in jail.

I urge you to deny what is now called ''normal trading status'' to China until the Administration can certify that China is respecting the basic human rights of all groups in China. A ''no'' vote to this status will signal that the US Congress makes respect for human rights a priority.

Sincerely,

DR. THOM WHITE WOLF FASSETT,

*General Secretary.*

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THE CENTER FOR RELIGIOUS FREEDOM, FREEDOM HOUSE, PRIORITY LIST—CHINESE CHRISTIANS PERSECUTED FOR RELIGIOUS REASONS, JULY 14, 1999

PROTESTANTS

1. Peter Xu Yongze. Pastor Peter Yongze Xu, China's most prominent underground Protestant leader, was sentenced to three years of labor camp on September 25, 1997, in Zhengzhou, Henan province, for ''disrupting public order.'' His trial was closed to the public and he was denied a defense lawyer. Pastor Xu, the 56-year-old leader of the three- to four-million-strong New Birth Movement of evangelicals, was arrested on March 16, 1997, as he was meeting with other leaders of large evangelical churches in China. His wife and several of his associates were also imprisoned.

2. Liu Fenggang. A 37-year-old active member of a unofficial Protestant house-church in Beijing, Liu was arrested on August 9, 1995, at his home as part of a general crackdown on the dissident community in Beijing prior to the UN Fourth World Conference on Women. In early December 1995, Liu was sentenced to 2.5 years of ''re-education through labor.''

3. Wang Changqing. A 52-year-old house-church leader of the Zhoukou Prefecture, Henan province, Wang and five other Christian house-church leaders were sentenced without trial to three years of ''re-education through labor'' on August 14, 1995. The house-church leaders were accused of belonging to outlawed religious organizations and scheming to overthrow the Communist Party with foreign religious groups. Wang and the other Christian house-church leaders denied belonging to any of these ''outlawed'' religious groups because they consider them heresies. Wang has been transferred to Henan's Xuchang Labor Reform Center to begin his third prison term at a labor reform camp.

4. Zheng Yunsu. Leader of popular Jesus Family religious community in Duoyigou, Shandong province, Christian Zheng was arrested in June 1992 with thirty-six other community members, including his four sons. Their arrests are thought to be in part the result of the community's May 1992 efforts to prevent security forces from tearing down their church. The elder Zheng was charged with holding ''illegal'' religious meetings, ''leading a collective life,'' disturbing the peace and resisting arrest. Sentenced to 12 years of imprisonment, he is thought to be held at the Shengjian Motorcycle Factory labor camp near Jinan city. Other community members received sentences of five years (another source says three). Public Security Bureau officials raiding the church compound in June 1992 leveled the church and confiscated personal property.

5. Pei Zhongxun (Korean Name: Chun Chul). The 76-year-old ethnic Korean Protestant leader from Shanghai, Pei, was arrested in August 1983 for counter-revolutionary activities. Accused of spying for Taiwan (because of ties to Taiwanese Christians) and of distributing Bibles and other Christian literature to others in the house-church movement, he was charged with ''counterrevolutionary crimes,'' and sentenced to 15 years of imprisonment. He is reportedly imprisoned in Shanghai Prison No. 2. His family is permitted to visit him for half-an-hour each month.

6. Wang Xin Cai. Evangelical Wang was arrested with Pastor Peter Xu Yongze and imprisoned on March 16, 1997, in Zhengzhou, Henan. There is no further information on his legal situation.

7. Qin Musheng. Evangelical Qin was arrested with Pastor Peter Xu Yongze and imprisoned on March 16, 1997, in Zhengzhou, Henan. He has been sentenced to two and a half years of education through labor.

8. Qing Jing. Qing, the 30-year-old wife of Pastor Peter Xu Yongze, was arrested along with her husband on March 16, 1997, in Zhengzhou, Henan. She has been sentenced to one year of education through labor.

9. Sister Feng Xian. Evangelical Feng was arrested with Pastor Peter Xu Yongze and imprisoned on March 16, 1997, in Zhengzhou, Henan. She has been sentenced to two and one half years of education through labor.

10. Su Yu Han. The 37-year-old evangelical was imprisoned on July 25, 1996, and sentenced to a reeducation labor camp for one and a half years. He is from the Tongnan neighborhood in Wu Tong town in Tong Xiang Country, Zhejiang Province, an area that has been targeted for severe repression by a specific Party directive. His house church with eight rooms was destroyed completely on the night of his arrest. All of his property was confiscated.

11. Wu Bing Fang. The 22-year-old brother of imprisoned evangelical Su Yuhan was imprisoned on July 25, 1996, and sentenced to a re-education labor camp for one and a half years. He is from Xin Ku neighborhood, Hong Yong town, Jia Xing district, Zhejiang Province. All of his property was confiscated.

12. Cao Wen Hai. Evangelical Cao was imprisoned on August 10, 1997, in Ping Ding Shan, Henan. His hometown in Fang Cheng county, Henan Province, is known as the ''Jerusalem of China'' where the Chinese House church movement was initiated in the 1980's. He was helping in the ministries of millions of Christians in China.

13. Zhang Chun Xia. Evangelical Zhang was imprisoned on August 10, 1997 in Ping Ding

Shan, Henan. Her hometown in Fang Cheng county, Henan Province, is known as the ''Jerusalem of China'' where the Chinese House church movement was initiated in the 1980's. She was helping in the ministries of millions of Christians in China.

14. Zhao Song Yin. Evangelical Zhao was imprisoned on August 10, 1997, in Ping Ding Shan, Henan. His hometown in Fang Cheng county, Henan Province, is known as the ''Jerusalem of China'' where the Chinese House church movement was initiated in the 1980's. He was helping in the ministries of millions of Christians in China.

15. Philip Guoxing Xu. Philip Xu is a 43-year-old evangelical traveling preacher and Bible teacher based in Shanghai, was arrested on June 16, 1997, and is presently in solitary confinement. Since late 1997, he has been allowed family visits and was allowed to send a letter from prison in May 1998. His legal situation is uncertain. He was sentenced without a trial to 3 years of labor camp (with labor at day and solitary confinement at night) in DA FUNG in northern Jiangsu Province. His wife was turned away when she tried to visit him on October 22, 1997, after traveling 20 hours by bus from Shanghai. Previously, he had been arrested on March 14, 1989 for a ''thorough investigation.'' At that time the authorities found ''no political motivation, no intention for collecting money, and no sexual misconduct,'' he was released. He had also been arrested on November 6, 1989 while teaching a Bible study class, and was sentenced without trial to three years of labor camp. After completing that sentence, Guoxing was released. He is married, and now has a young daughter. His birthday is March 16, 1955. He lived in California between 1980 and 1982.

16. Huang Dehong. Huang Dehong, a Protestant from Baokang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Baokkang Prefectural Labor Educational Camp.

17. Huan Debao. Huan Debao, a Protestant from Baokang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Wuwei Labor Educational Camp in Gansu.

18. Hei Qunhu. Hei Qunhu, a Protestant from Lushi, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Wuwei Labor Educational Camp in Gansu.

19. Dai Chenggang. Dai Chenggang, a Protestant from Baokang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Zhenglin Labor Educational Camp, in Zhaoyang, Hubei.

20. Zhang Shangkui. Zhang Shangkui, a Protestant from Zhaoyang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Zhenglin Labor Educational Camp, in Zhaoyang, Hubei.

21. Li Qingshu. Li Qingshu, a Protestant from Zhaoyang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Zhenglin Labor Educational Camp, in Zhaoyang, Hubei.

22. Zhang Jun. Zhang Jun, a Protestant from Zhaoyang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in a local township educational camp in Hubei since April 6, 1999.

23. Brother Song. Brother Song, a Protestant from Zhaoyang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Shayang Labor Educational Camp in Hubei since April 6, 1999.

24. Hu Shoubin. Hu Shoubin, a Protestant from Qianjiang, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Shayang Labor Educational Camp in Hubei.

25. Jia Ping. Jia Ping, a Protestant from Xiantao, Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Shayang Labor Educational Camp in Hubei.

26. Huang Zhihai. Huang Zhihai, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tangshan Labor Educational Camp in Hebei.

27. Fan Jinxia. Fan Jinxia, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tangshan Labor Camp in Hebei.

28. Yang Xiaofang. Yang Xiaofang, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tangshan Labor Camp in Hebei.

29. Liang Fujuan. Liang Fujuan, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tangshan Labor Educational Camp in Hebei.

30. Huang Xiaojuan. Huang Xiaojuan, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tangshan Labor Educational Camp, in Hebei.

31. Zhu Qin. Zhu Qin, a Protestant from Beijing, affiliated with China Evangelistic Fellowship, is being detained in Tongxian Labor Educational Camp in Hebei.

32. Zheng Fang. Zheng Fang, a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Shibalihe Labor Educational Camp in Zhengzhou, Henan.

33. Xu Ying. Xu Ying, a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Shibalihe Labor Educational Camp in Zhengzhou, Henan.

34. Ye Kensheng. Ye Kensheng, a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

35. Xiao Minghai. Xiao Minghai. a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

35. Zhang Jinchen. Zhang Jinchen, a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

36. Wang Xuchua. Wang Xuchua, a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

37. Li Zhongchang. Li Zhongchang, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Nanhu Labor Educational Camp in Anhui.

38. Zhan Guohua. Zhan Guohua, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Hefei Labor Educational Camp in Anhui.

39. Li Liya. Li Liya, a Protestant from Huo Qiu, Anhui province, affiliated with China Evangelistic Fellowship, is being detained in Nanhu Labor Educational Camp in Anhui.

40. Hou Feng. Hou Feng, a Protestant from Jianchuan, Anhui province, affiliated with China Evangelistic Fellowship, is being detained in Nanhu Labor Educational Camp in Anhui.

41. Tian Lin. Tian Lin, a Protestant from Jianchuan, Anhui province, affiliated with China Evangelistic Fellowship, is being detained in Nanhu Labor Educational Camp in Anhui.

42. Meng Qingli. Meng Qingli, a Protestant from Shangqiu, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Shangqiu Labor Educational Camp in Anhui.

43. Wu Guifang. Wu Guifang, a Protestant from Xingiang province, affiliated with China Evangelistic Fellowship, is being detained in Urumqi Labor Educational Camp in Xinjiang.

44. Guei Chuan-Lun. Guei Chuan-Lun, a Protestant from Feng Yang, Anhui province, is being detained in Baofeng Labor Educational Camp in Xuanzhou, Anhui.

45. Liu Hai-Kuan. Liu Hai-Kuan, a Protestant from Feng Yang, Anhui province, is being detained in Baofeng Labor Educational Camp in Xuanzhou, Anhui.

46. Zhang Wan-Bao. Zhang Wan-Bao, a Protestant from Feng Yang, Anhui province, is being detained in Baofeng Labor Educational Camp in Xuanzhou, Anhui.

47. Lin Ke-Wei. Lin Ke-Wei, a Protestant from Li-Xin, Anhui province, is being detained in Nanhu Agricultural Labor Educational Camp.

48. Peng Shu-Xia. Peng Shu-Xia, a Protestant from Chang Feng, Anhui province, is being detained in Women Labor Educational Camp in Hefei, Anhui.

49. Wang Chuan-Bing. Wang Chuan-Bing, a Protestant from Qing-gang, Heilongjiang province, is being detained in Qing-gang Detention Center in Heilongjiang.

50. Wang Xincai. Wang Xincai, a Protest from Lushan, Henan province, is being detained in Qiliyan Labor Educational Camp in Zhengzhou, Henan.

51. Wu Juesheng. Wu Juesheng, a Protestant, is being detained in Da-an Labor Educational Camp in the Biyang Prefecture of Henan province.

52. Zhang Chunxia. Zhang Chunxia is being detained in Shibalihe Female Labor Educational Camp in Zhenghou, Henan province.

53. Xu Dajiang. Xu Dajiang, a Protestant from Xinyang, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

54. Zhao Wu Na. Zhao Wu Na is a 50-year-old (born 1948) evangelical Christian woman from Shanghai who was arrested on December 28, 1997, and detained in a labor camp. A graduate of the government-sponsored East China Theological Seminary, she resigned from the Patriotic Three-Self movement and began to evangelize independently. Her husband has disappeared and she believes that he has been kidnapped by government agents in a covert operation.

ROMAN CATHOLICS

55. Bishop Zeng Jingmu. [Transferred to house arrest on May 9, 1998]. The 78-year old Roman Catholic Bishop of Yu Jiang, Jiangxi province, Bishop Zeng was sentenced without a trial, in March 1996 to three years of ''re-education through labor'' in the laogai for his religious activities for being arrested the previous November. He had already spent about two decades in communist prisons for his faith. Reportedly, Bishop Zeng was weakened by a serious case of pneumonia which he had contracted during a short prison detention in October 1995. In 1994, he had been arrested on August 14, one day before an Assumption Day raid by Public Security officials from the town of Yu Jiang and held without charge until December 1994. He has been adopted by Amnesty International as a''prisoner of conscience.''

56. Bishop An Shuxin. Bishop An was arrested in February 1996 as a preemptive strike against the popular annual May 24 Catholic Pilgrimage to the shrine of Mary in village of Donglu in Hebei. Police crushed all commemorations, other clergy from the area were imprisoned or placed under house arrest, and some churches and prayer houses in the area were desecrated. He remains in detention. He is an auxiliary bishop to Bishop Su.

57. Bishop James Su Zhimin. Bishop Su Zhimin, 65, the Roman Catholic bishop of Baoding in Hebei Province who respects the authority of the Vatican, has spent twenty years in Chinese prisons. During one prison stint lasting 15 years, he was subjected to extreme torture. In one incident, the board, which was used to beat him, was reduced to splinters. The police then ripped apart a wooden door and continued to beat Bishop Su until it also disintegrated into splinters. Other tortures used against him included being hung from his wrists while being beaten on his head, and on another occasion being placed in a cell which was partially filled with water. The Bishop was left there for days, unable to either sit, lie down or sleep. He suffered extensive hearing loss as a result. In 1996, Bishop Su wrote a courageous letter of protest about religious violations of Chinese government authorities. He was arrested most recently on October 8, 1997 for religious reasons after 18 months in hiding. On October 24, the U.S. State Department reported that it had received word from Chinese authorities that the bishop had been released from jail, but this turned out to be false and local Catholics report that government agents are now blocking access to the bishop's residence. Bishop Su is believed to be in detention. Reliable reports indicate that on November 7, 1998 he was transferred from Qingyuan prison to a government guest house or apartment building in Qingyuan where he was held incommunicado and kept under strict 24-hour police surveillance. The transfer probably occurred to defuse protest during the Chinese president's state visit to Washington. The American religious delegation that traveled to China in February 1998 were refused permission by the government to visit Bishop Su. Chinese Ambassador Li Zhaozing continues to spread disinformation about the Bishop; on May 18, 1998, he wrote to Congressman Vince Snowbarger denying that Bishop Su was under detention, stating he ''is a free man.'' His whereabouts and well-being are not known. He is in state custody, presumably in a labor camp.

58. Bishop Julias Jia Zhiguo. The 58-year-old Bishop of Zhengding, Hebei province, and secretary-general of the underground Chinese Bishop's Conference, Bishop Jia was arrested on August 27, 1995, and held at a detention center in Yong Nian until being released two months later. He had been subjected to frequent short detentions at the hands of the Public Security Bureau. He was arrested on January 7, 1994, and but released shortly thereafter, and re-arrested January 20, 1994, but subsequently released in early February. He was arrested again on February 9, 1994, and reportedly released in one month later. He had been arrested on April 5, 1993, with eight other priests, all of whom were released later that year. He is currently under police surveillance and severe restrictions of movement that are a form of house arrest.

59. Bishop Joseph Li Side. In his 60's, the Bishop of Tianjin diocese was arrested May 25, 1992, exiled in July 1992 to a rural Liang Zhuang, Ji county, and forbidden to leave. According to most recent report, he is being held under a form of house arrest on the top of a mountain. He had previously been detained several times, including 1989, when he was arrested for playing a role in the underground episcopal conference and reportedly tried in secret.

60. Bishop Gu Zheng Mattia. The Bishop of Xining diocese, Qinghai province, was arrested on October 6, 1994, but released sometime in early December 1994. He has been placed under police surveillance and restrictions of movement. Church sources report as of July 1997, he was again placed under detention by Public Security organs.

61. Bishop Joseph Fan Zhongliang. Bishop Fan, the 74-year-old acting bishop of Shanghai, is under ritual house arrest at his apartment in Shanghai. During Easter Week, Bishop Fan's residence was ransacked and his Bible, catechism, code of Canon Law, and meager diocesan treasury were confiscated by police. He has been previously imprisoned for his faith for 25 years between 1957 and 1982. He had also been arrested on June 10, 1991, reportedly in response to the Vatican's elevating to Cardinal another Chinese bishop, Ignatius Kung. On August 19, 1991, he was transferred to a form of house arrest in Shanghai, which was confirmed by a Freedom House delegation in mid-1997.

62. Bishop Casimir Wang Milu. The 55-year-old Bishop of Tianshui diocese, Gansu province, Bishop Wang was arrested April 1984 for counter-revolutionary activities, including ordaining priests (after his own secret consecration as bishop by Bishop Fan Xueyuan in January 1981), having contact with the Vatican and other Chinese Roman Catholics, and criticizing government religious policy and the Catholic Patriotic Association. In 1985 or 1986 he was sentenced to ten years of ''reform through labor'' and four years of deprivation of political rights. He was imprisoned for a time at labor camp in Pingliang, Gansu and then transferred to a labor camp near Dashaping in Lanzhou. Released on parole on April 14, 1993, he remains under severe restrictions of movement, that are a form of house arrest. He was previously imprisoned for his faith during the Cultural Revolution.

63. Bishop Cosmas Shi Enxiang. The 71-year-old auxiliary Bishop of Yixian, Hebei province, Bishop Shi was originally arrested in December 1990 and held by Xushui County Public Security Bureau. His whereabouts remained unknown for close to three years. He was thought to have been held in a ''reeducation through labor'' camp near Handan or in an ''old age home.'' On November 31, 1993, he was released and permitted to return home. Although reportedly in poor health, he resumed duties as Auxiliary Bishop of Yixian, thought under police surveillance and restrictions of movement.

64. Bishop Han Dingsiang. Bishop Dingsiang was arrested in Yong Nian. He has been arrested and released several times and it is believed he is currently in jail.

65. Bishop Han Jingtao. Bishop Jingtao has been prevented by police from exercising his ministry.

66. Bishop Liu Guandong. Bishop Guandong, of Yixian, is under strict surveillance by Chinese security forces.

67. Bishop Zhang Weizhu. Bishop Weizhu was arrested in Xianxian on May 31, 1998.

68. Rev. Guo Bo Le. A Roman Catholic priest from Shanghai, Rev. Guo was sentenced in January 1996 to two years of imprisonment at a ''reform through labor'' camp because of ''illegal religious activity.'' He was arrested while celebrating Mass on a boat for about 250 fishermen. Guo's other ''illegal'' activities included administering the Sacrament of the Sick, establishing underground evangelical church centers, organizing catechetical institutes, teaching Bible classes and ''boycotting'' the Catholic Patriotic Association. Fifty-eight-year-old Guo has already spent thirty years—over half his life—in Chinese prisons because of his faith.

69. Rev. Vincent Qin Guoliang. Rev. Qin, a 60-year-old Roman Catholic priest, was arrested on November 3, 1994, in the city of Xining, Qinghai province, on unknown charges by Public Security officials. He was arbitrarily sentenced to two years' ''reeducation through labor'' at Duoba labor camp 20 kilometers from Xining. Father Qin was forced to carry rocks and blocks of ice in the camp, but after one month of this hard labor he became seriously ill. In March 1995, he was allowed to perform light duties and is now the treasurer of the prison. According to press accounts, the sentencing procedure circumvented the need for his name to appear on any legal documents, thereby preventing him from being officially recognized as a ''prisoner.'' It is not known if he has been released but if he has he probably was returned to his previous status as an ''employee detainee'' for the State. He had been previously, arrested on April 21, 1994, while celebrating Mass, and released on August 29, 1994. Beginning in 1955, he served 13 years of imprisonment because of his refusal to renounce ties with the Vatican. Upon completion of prison term, he was transferred to a labor camp as an ''employee detainee'' to make bricks at No. 4 brick factor in Xining. After another 13 years of this forced labor, he was refused government permission to return to his home in Shanghai. He was forced to continue working at the No. 4 brick factor in Xining until his re-arrest in April 1994. He was secretly ordained a priest in 1986 and carried out his apostolic work in the province of Qinghai.

70. Rev. Liao Haiqing. Rev. Liao is a 68-year-old priest in Fuzhou, Jiangxi province. Arrested in August 4, 1995, he was last known to be detained at Lin Chuan City's detention center. Father Liao has a heart condition and high blood pressure, but he is not allowed to receive medication from his family, who are barred from visiting him. Previously arrested on August 11, 1994, on unspecified charges and held in detention until mid-November 1994. Prior to that, he had been arrested while celebrating Mass, on August 16, 1992, and held until March 1993. He has also previously served a ten-year term, which ended in July 1991.

71. Rev. Peter Cui Xingang. The 31-year-old Pastor of the Church of Our Lady of China in Donglu village, Hebei province, the site of the famous underground Catholic procession, was arrested in late March 1996 and detained along with Bishop Su Zhimin. He had been reportedly in and out of detention since then and at last report in mid-1997 was behind bars once again. He had been previously, arrested on July 28, 1991, and held without trial until being released in August 1995.

72. Rev. John Wang Zhongfa. Rev. Zhongfa, a is a 67 year-old Roman Catholic priest of Wenzhou diocese, Zhejiang province, was arrested on November 24, 1997, and sentenced in January 1998 to one year of re-education through labor for ''disturbing the peace.'' He Wenzhou city council, which imposed the sentence, reportedly said that his sentence is to expire on November 23, 1998. The priest, labelled ''Number One Evil'' by security officials, was arrested for organizing an unauthorized Marian event last October. According to a report from a Catholic source in Hong Kong, Fr. Wang is out of 15,000 yuan (US$1,800) bail but must report regularly to police. He was arrested while conducting a private funeral service for a nun.

73. Rev. Shi Wende. Rev. Wende, of Yixian diocese, Hebei province, was arrested on March 14, 1998, while visiting the home of an underground Catholic in Liu Li Quao, according to the Cardinal Kung Foundation. His whereabouts are not known.

74. Fr. Deng Ruolun. Fr. Ruolun, a first apostolic Administrator of the Diocese of Yujiang, was arrested in Jiangxi province on August 14, 1997, while celebrating Mass at a private home. His father was later detained on August 20, along with five others whose names remain unknown.

According to a report by Amnesty International released on March 31, 1998, over 200 Roman Catholics were detained in Jiangxi province in 1997. The arrests were apparently carried out in two separate incidents: the first in August 1997; and the second, between mid November and December. Some of those

arrested were jailed or tortured. Their current whereabouts and legal status are unknown. The following 11 names are those identified as detained:

75. Zhang Jiyu. Zhang Jiyu is a 48-year-old Catholic woman, who are arrested and detained in Jiangxi province on August 13, 1997, after protesting the arrest of her 17-year-old daughter, who herself had been detained for religious reasons.

76. Liu Haicheng. Lui Haicheng was arrested in Jiangxi on August 15, 1997, for allowing a private mass at his home (where Fr. Deng Ruolun had been arrested). Police reportedly tortured Haicheng in order to extract a confession of guilt to criminal charges.

77. Zhou Xiaoling. Zhou Xiaoling, like Liu Haicheng, was arrested in Jiangxi province on August 15, 1997, and then tortured for allowing a private mass in his own home.

78. Xiao Lan. Xiao Lan, a 32-year-old Catholic nun, was arrested in Jiangxi province in mid August of 1997.

79. Long Mei. Long Mei, a 24-year-old Catholic nun, was arrested in Jiangxi province in mid August of 1997.

80. Yuan Mei. Yuan Mei, a 20-year-old Catholic nun, was arrested in Jiangxi province in mid August of 1997.

81. Cheng Jinli. Cheng Jinli, a 24-year-old Catholic nun, was arrested in Jiangxi province in mid August of 1997.

82. Hua Jingjin. Hua Jinglin, a 30-year-old Catholic nun, was arrested in Jiangxi province in mid August of 1997.

83. Jun Fang. Jun Fang, a Catholic nun, was arrested in Jiangxi province in mid August of 1997.

84. Zhang Jiehong. Zhang Jiehong, a 50-year-old Catholic laywoman, was arrested in Jiangxi province in mid August of 1997.

85. Fr. Lin Rengui. Fr. Rengui, of Pingtan county, was arrested during Christmas of 1997. His sentence is unknown.

86. Fr. Ma Qinguan. Fr. Qinguan, a priest from Baoding, is being pursued for capture.

87. Fr. Wang Chengi. Fr. Chengi, was arrested in December of 1996. He was sentenced to three years' imprisonment. He is currently at Shandong Jining Reeducation Camp.

88. Fr. Wei Jingkun. Fr. Jingkun, of Baoding, was arrested on August 15, 1996.

89. Fr. Xiao Shixiang. Fr. Shixiang, was arrested in June, 1996 and given a three-year sentence. He is currently at Tianjin #5 prison.

90. An Xianliang. An Xianliang, a Catholic from the village of An Jia Zhuag, was arrested in 1996.

91. Di Yanlong. Di Yanlong, a Catholic from the village of An Jia Zhuang, was arrested in 1996 and sentenced to three years in prison.

92. Gao Shuping. Gao Shuping, a Catholic citizen of Lin Chuan, was arrested in November 1996.

93. Gao Shuyun. Gao Shuyun, a Catholic from Chongren County, was arrested in April 1995.

94. Huang Guanghua. Huang Guanghua, from Chongren County, was arrested in April 1995.

95. Huang Tengzong. Huang Tengzong, from Chongren County, was arrested in April 1995.

96. Jia Futian, from the village of Yangzhuang, was arrested in 1996 and sentenced to three years in prison.

97. Li Lianshu. Li Lianshu, a Catholic, was arrested during Christmas of 1995. He was sentenced to four years and is currently at Shandong #1 Reeducation camp.

98. Li Quibo. Li Quibo, a Catholic, was arrested in Easter 1996. He was sentenced to three years and is currently at Shandong #1 Reeducation camp.

99. Li Shengxin. Li Shengxin, a Catholic from An Guo, was arrested in 1996 and sentenced to three years in prison.

100. Li Xin. Li Xin, a Catholic, was arrested in 1996 and sentenced to three years in prison.

101. Pan Kunming. Pan Kunming, a Catholic from Yu Jiang, was arrested in 1996 and sentenced to five years.

102. Rao Yanping. Rao Yanping, a Catholic from Yu Jiang, was arrested in April 1995 and sentenced to four years.

103. Wang Chengqun. Wang Chengqun, a Catholic from Baoding, was arrested in April 1996 and sentenced to three years.

104. Wang Yungang. Wang Yungang, a Catholic, was arrested during Christmas 1996, and sentenced to two years and currently is at Shandong Changle Reeducation Camp.

105. Xie Suqian. Xie Suqian, a Catholic from Baoding, was arrested on August 15, 1998.

106. Yao Jinqiu. Yao Jinqiu, a Catholic from the village of An Jia Zhuang, was arrested in 1996 and sentenced to three years.

107. Yu Qixiang. Yu Qixiang, a Catholic from Yu Jiang, was arrested in April 1995 and sentenced to two years.

108. Yu Shuishen. Yu Shuishen, a Catholic from Yu Jiang, was arrested in April 1995 and sentenced to three years in prison.

109. Zhou Quanxin. Zhou Quanxin, a Catholic layman, was arrested in Baoding, Hebei Province, during an underground Holy Mass on Pentecost Sunday, May 23, 1999, while aiding the escape of the presiding priest.

110. Zhou Zhenpeng. Zhou Zhenpeng, a Catholic layman, was arrested in Baoding, Hebei Province, during an underground Holy Mass on Pentecost, May 23, 1999, while aiding the escape of the presiding priest.

111. Zhou Zhenmin. Zhou Zhenmin, a Catholic layman, was arrested in Baoding, Hebei Province, during an underground Holy Mass on Pentecost Sunday, May 23, 1999, while aiding the escape of the presiding priest.

112. Zhou Zhenquan. Zhou Zhenquan, a Catholic layman, was arrested in Baoding, Hebei Province, during an underground Holy Mass on Pentecost Sunday, May 23, 1999, while aiding the escape of the presiding priest.

Sources: Cardinal Kung Foundation; Church sources in China; Family members of religious prisoners; Compass Direct; Fides (news agency under the auspices of the Vatican's congregation for mission countries, Propaganda Fides); Information Center of Human Rights and Democratic Movement in China (Hong Kong); The Oregonian; Reuters; U.S. State Department Human Rights Reports on Countries (1999); Zenit; Christian Solidarity Worldwide; Amnesty International; Union of Catholic Asian News.

See Center's Web site for further information: www.freedomhouse.org/religion.

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THE EFFECT OF MFN ON CHINA

(By Wei Jingsheng)

The reason that a representative of the highest level of the Chinese Communist Party (CCP) met with me in 1994 was that many in the inner circles of the CCP believed that I could influence the future of MFN, due to my meeting with Secretary of State Warren Christopher.

Among the conditions which were promised to me at that time, some were met very faithfully. Even though I had been illegally taken into custody, they scrupulously fulfilled two agreements: one was the freeing of Wang Juntao, Chen Ziming and several other political prisoners. The other was that after I agreed to their conditions they would not arrest my associates, including Wang Dan, Liu Nianchun, Liu Xiaobo and many others who fell within the protective scope of the agreement.

However, there were promises that they did not keep. These include not allowing the democracy faction to carry out public activities and buy banks and newspapers, and releasing another group of prisoners, such as Hu Shigen and Zhou Guoqiang. Because U.S. President Clinton decoupled MFN from human rights considerations, many people inside the CCP decided that there was no need to continue to keep the promises they had made.

I found out in prison that the treatment of political prisoners followed the political atmosphere, changing as the atmosphere changed. The most important elements in the political atmosphere were U.S.-China relations and the question of MFN.

In 1994, after my secret negotiations with the CCP's representative, I was put under house arrest in a high-level guesthouse. Living conditions were quite good, and it was possible to go out to eat in the company of a policeman, for example; the only thing I could not do was have contacts with the outside world. They were obviously planning to release me after a short time, because they were concerned that my opinion could influence the future of MFN. They had no control over the future of MFN, and so they treated me a high degree of courtesy.

But about a month after Secretary of State Christopher returned to the U.S., they suddenly sent me to a place where conditions were even harsher than in a prison. It was damp, there were no facilities for washing, and I could not even go to the toilet without being under the scrutiny of a guard. There was no access to newspapers, TV or radio. Not only did I have no contact with the outer world, but even my sources of news were cut off. This occurred because, although the delinking of MFN with human rights had not been made public, the Chinese government had already received reliable assurances of this from the American side. At the time I guessed that this was the situation, and after I came to the U.S. in 1997 I received proof that confirmed my earlier suspicions.

While the Chinese government began to lobby in the U.S. for permanent MFN status, I was sentenced to 14 years and was sent to prison. From the end of 1996 until early 1997, as lobbying for ''permanent MFN status'' for China was called for openly in the U.S. Congress, the CCP convened a meeting on politics and law, and the ranking politics and law committee member, Luo Gan, publicly called for a crackdown on resistance, hunger strikes and other activities by political prisoners.

Conditions for political prisoners in China's jails quickly became more oppressive. Almost all conditions necessary to sustain life disappeared, many more were beaten and the use of handcuffs and punishment cells became more common. I also received this type of treatment. For details, please see the newspaper reports from the first part of 1997.

In June and July of 1997, revelations about the conditions of Chinese political prisoners were comparatively frequent. During discussions about MFN in the U.S. Congress, this issue was often discussed. Demands to suspend MFN increased, and, in China, the government ceased carrying out oppressive measures against political prisoners. The use of shackles and punishment cells stopped, prisoners were returned to their normal cells, and the most necessary items for daily life were restored.

The events described above show clearly that the strategy of using MFN to put pressure on the Chinese government is highly effective. Although the lack of willpower and consistency in U.S. policy have prevented effective pressure on China to democratize, the effectiveness of the use of the MFN issue to improve conditions for political prisoners and limit arrests of dissidents has been clearly shown.

In other words, if the pressure of the MFN issue is lost, it means collusion with the hardliners of the CCP as they persecute and oppress China's opposition.

Mr. CRANE. Mr. Speaker, I urge my colleague from Virginia to consult with the Reverend Billy Graham and Pat Robertson.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong opposition to this resolution. Denying NTR to China will undermine our interests, United States economic interests. It is our twelfth largest market and increased imports from the United States 11 percent last year all on products made by highly skilled workers earning high wages.

Connecticut exports to China in 1998 totaled more than 301 million ranking it tenth in the Nation. Connecticut businesses and its workers have a direct interest in maintaining normal trading relations with China and with further opening China's markets. With a quarter of the world's population and the third largest economy, China's buying power will grow tremendously in the years ahead. If we do not engage this emerging major market, other nations will replace U.S. companies and these significant profits gained as a competitive advantage over us. That has already happened in the helicopter and other markets through short-sighted American policy.

Mr. Speaker, it is just a fact that China is making quiet but significant progress in many areas. Unlike Russia, China has recognized the need to recapitalize their state-owned businesses and has gradually sold many to foreign companies. They are modernizing their economy without the level of unemployment, crime, and turmoil that has plagued other nations faced with this challenge.

Furthermore, western companies have brought management practices to China that develop individual initiative and respect workers' ideas. They have brought more stringent health safety and environmental standards accomplishing goals like reducing industrial waste 35 percent and harmful air emissions 36 percent, as did Carrier since 1995.

And western companies have brought more opportunity to workers like Otis Elevator's home ownership program.

In addition, China has had direct elections in half its villages, gaining experience with secret ballots and multicandidate elections. In some provinces, 40 percent of the candidates are young entrepreneurs and not Communist Party members. In 1997, as part of the rule of law initiative the training of legal aid lawyers began.

In sum, China is modernizing its economy and governance through a process that is harmonious with her long history and cultural traditions, but that should not obscure the growth of values in common with people in the west. It should certainly not obscure our common interest in the growth of trade between our nations based on the principles that undergird the WTO relationships. By renewing NTR and working with China to enter WTO we can help China adopt free and fair trade policies. Lower tariffs make our goods more affordable. Distribution rights under WTO will provide access to customers. Good for China, good for us.

I urge renewal of the normal trade relations with China and opposition to this resolution of disapproval.

I rise in strong opposition to this resolution. Denying NTR to China will undermine our entire U.S. economic interests. It is our 12th largest market and increased imports from the U.S. 11% last year. With a population of 1.2 billion, China imported approximately $18 billion worth of U.S. goods and services in 1998, supporting thousands of high-wage, high-skill, export-related American jobs. This represents an increase of more than 11% from the previous year, making China the 12th largest U.S. export market.

Connecticut exports to China in 1998 totaled more than $301 million, ranking it 10th in the nation. Connecticut businesses and its workers have a direct interest in maintaining normal trade relations with China and in further opening its markets.

With a quarter of the world's population and third largest economy, China's buying power will grow tremendously in the years ahead. If we do not engage this emerging major market, other nations will replace U.S. companies and use the significant profits gained as a competitive advantage over us. That has already happened in the helicopter market with U.S. producers guilty of short-sighted policy.

It is just fact that China is making quiet but significant progress in many areas. Unlike Russia, China recognized the need to recapitalize their state-owned businesses and has gradually sold many to foreign companies. They are modernizing their economy without the level of unemployment, crime and turmoil that has plagued other nations faced with this challenge. Furthermore, western countries have brought stringent management practices to China that develop individual initiative and respect workers' ideas, have brought management health, safety and environmental standards, accomplishing goals like reducing industrial waste 35% and harmful air emissions by 36% as did Carrier since 1995 and western companies have brought new opportunities to workers like Otis Elevator home ownership programs.

In addition China has held direct election in half its villages, gaining experience with secret ballots and multi-candidate elections. In some provinces, 40% of the candidates are young entrepreneurs and not communist party members. (They seek better schools and roads, and are cracking down on corruption.) In 1997, as part of a rule of law initiative, the training of legal aid lawyers began.

In sum, China is modernizing its economy and governance through a process that is harmonious with her cultural traditions, but that should not obscure the growth of values shared by people in the West.

China is now on the verge of gaining membership in the World Trade Organization. WTO membership requires a country to adopt free and fair trade practices. We must encourage this progress toward a more open market economy because with it will come the opportunity for American companies to distribute their goods in China far more broadly and the lower Chinese tariffs will make our goods competitive in that growing market. It should certainly not obscure our common interest in the growth of trade between us based on the principles that undergird WTO relationships (transparency of law and regulation, equal treatment of foreign and domestic producers, lower tariffs and reduced non-tariff barriers, intellectual property protection and dispute settlement through a fair process.) By allowing NTR and working with China to enter the WTO, we can help China ''adopt free and fair'' trade practices and assure the growth of our economy. The lower tariffs required by WTO will make our goods more affordable and the distribution rights under WTO will provide us access to customers good for us and good for China.

Denying normal trade relations with China will only limit our ability to influence and work with China in other areas of mutual concern. Only a policy of principled and persistent engagement will promote American interests on all issues from economic security to non-proliferation, the rule of law, and human rights.

I urge the renewal of normal trade relations with China and opposition to this resolution of disapproval.

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Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), a champion for human rights throughout the world and at home.

Mr. LEWIS of Georgia. Mr. Speaker, the supporters of Most Favored Nation status may have changed the name to ''Normal Trade Relations,'' but the situation in China has not changed. In fact, the conditions are getting worse.

Just a few days ago, the Chinese government conducted its largest crackdown since Tiananmen Square. Thousands of religious worshippers were arrested. Chinese soldiers took people from their homes and places of worship. Some were beaten. The human rights abuses continue, and yet there are those who would reward China with MFN.

Business as usual, trade as usual, and China does not change. We are sending the wrong message. We have a moral obligation, a mission, and a mandate to stand up for human rights and for democracy. We must send a strong message that China must change its ways if it wants to continue doing business with the United States. Our foreign policy, our trade policy must be a reflection of our ideals and values. Renewing MFN allows China to continue its terrible abuses without repercussion. That is not right.

Where are our morals? Where are our values? Where are our principles? I believe in free and fair trade, but it must not be trade at any price, and the price of renewing MFN for China is too high.

Mr. Speaker, I urge my colleagues to support this resolution. I want to thank the gentlewoman from California (Ms. PELOSI) for taking the lead

in standing up for human rights and for democracy in China.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, we should continue normal trade relations with China. This is a very important issue to the United States of America, as well as to the future of China.

As is the case with almost all important legislation, the rhetoric is heated and the arguments are exaggerated. That is only natural, because the debate we are involved in is a complexity that oftentimes is far beyond the immediate issue in front of us: trade.

The debate ranges on both sides to economic, political, strategic, security, and humanitarian issues. Yet, we have this one vehicle to express our opinions, our positions, and even our frustrations about our relationship with China.

China is the largest emerging market in the world, and it is increasingly important politically and militarily to the United States. China's leadership will, whether we like it or not, shape much of what happens throughout Asia and the Pacific. We must try to influence what happens inside of China. We must influence the course of conduct by China's influence and leadership, and, of course, we must take the opportunity to see how best we can influence how China emerges as a greater economic and military power.

But how do we influence China if we refuse to trade with them and they retaliate against us? How do democratic values emerge? How do they learn to tolerate dissent? How do they come to respect human rights and religious liberties? Do we sit back and hope that the Europeans are willing to demonstrate these values, or do we actively engage the Chinese at all levels and patiently work for change within that country?

I do not think there is anybody who is willing to say that there has been no change in China during the last 20 years. I do not think anyone would say that that change has been sufficient. In fact, it seems painstakingly slow, but it is occurring, and we must see to it that it continues to occur.

We must not lose site of the penalty here. It is to deny to China what we give to almost every other nation in the world: normal trade relations, exactly what the term implies. The aberration is not with those who would grant NTR to China; it is with those who would apply the Smoot-Hawley Tariff Act to China.

Mr. ROHRABACHER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations and a Member of this body who served in World War II in the Pacific and knows full well the price that we pay as a country for an unrealistic policy towards a militaristic regime.

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

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

Mr. Speaker, I rise in strong support of H.J. Res. 57, a resolution disapproving granting MFN, now called NTR, to the People's Republic of China.

It has been 10 years since the massacre of Tiananmen Square, and since then, the world has witnessed a marked deterioration of human and religious rights in the People's Republic of China and in occupied Tibet and in East Turkestan. Since 1989, our trade deficit has grown from $6 billion to a projected $67 billion. China's bold threats against democratic Taiwan and its naval actions against the Philippines directly reflect its new-found wealth and its military prowess. Both give unrestricted access to our U.S. markets.

U.S. industry estimates of intellectual property losses in China due to counterfeiting and due to trademark piracy have continually exceeded $2 billion over the past several years. Some U.S. companies estimate losses from counterfeiting account for 15 to 20 percent of their total sales in China. It is my understanding that Microsoft alone has lost an estimated $1 billion in software piracy by China over the past 10 years.

Mr. Speaker, the administration's transfer of American resources and wealth through our so-called ''engagement policy'' with the dictators in Beijing has led to serious long-term consequences. The engagement policy failure has fueled an enormous trade imbalance that dwarfs all reason. China's enormous foreign currency reserves permits Beijing to belligerently dismiss U.S. protests of its transfer of deadly weapons of mass destruction to terrorist nations. So-called engagement has cleared the way for China's regional hegemony.

China's experts within the administration have presided over this Nation's singular greatest foreign policy disaster. It has led to the thefts of our nuclear weapons designs, the weakening of our national security and strategic alliances, and the trivialization of respect for our American interests.

Last week, it was reported that a Protestant worshipper was killed by security forces; and this week, thousands of followers of Falun Gong, the spiritual movement that was recently outlawed, were arrested.

Accordingly, Mr. Speaker, I support H.J. Res. 57 and I urge my colleagues to support this important resolution.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. BIGGERT), my neighbor.

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

Mrs. BIGGERT. Mr. Speaker, I rise today to urge my colleagues to oppose the resolution revoking Normal Trade Relations for China.

Many of my colleagues have said that this body should signal our disapproval of Chinese policy by denying NTR. I would caution those who seek to send such a signal to first answer one very basic question: Will your vote to revoke NTR for China today actually change the behavior of China tomorrow? Think about it. Will ending NTR free the political prisoners, reverse the abuse of human rights, and stop the persecution of religious groups? Will denying NTR teach the youth of China the values of democracy, the principles of capitalism, and the merits of a free and open society?

Make no mistake; ending NTR for China will not achieve these goals. It will portend, however, the end of U.S. trade with China and the end of our influence in China.

Mr. Speaker, I urge my colleagues to retain our influence and our trade relations with China by voting against the resolution today.

Mr. Speaker, I rise today to urge my colleagues to vote against the resolution to revoke Normal Trade Relations (NTR) for China.

Many of my colleagues have said that this body should signal our disapproval of Chinese policy by denying NTR.

Mr. Speaker, I would caution those who seek to ''signal'' China by ending NTR to think for just one moment today about the likely consequences and first answer one very basic question.

Will your vote to end NTR for China today actually change the behavior of China tomorrow? Think about it.

Will ending NTR free the political prisoners, reverse the abuse of human rights, and stop the persecution of religious groups?

Will denying NTR bolster the moderates or will it strengthen the hands of the hard-liners as they struggle to control the future course of China policy?

Most importantly, will revoking NTR teach the youth of China the values of democracy, the principles of capitalism, and the merits of a free and open society?

Mr. Speaker, if I thought that ending NTR would achieve these goals in China, I too would cast my vote of disapproval today.

But make no mistake: denying China NTR denies the U.S. the ability to influence China's workers, China's human rights policies, China's politics, and perhaps most importantly, China's future.

Make no mistake: ending NTR for China will effectively end all hope of gaining WTO accession. It will end our best hope of getting China to open its markets and live by the world's trade rules. And it will effectively put an end to our trade with China.

In short, revoking NTR for China will send much more than a signal: it will portend the end of U.S. trade with China, and the end of our influence in China.

I urge my colleagues to vote to retain our influence—and our trade relations—with China by voting against the resolution today.

Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), who has been a

champion of human rights, particularly in the New Independent States and in eastern and central Europe, and a champion throughout the world for human rights.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from California for yielding to me, who herself has been such a great leader on this issue.

I rise today in strong support of House Joint Resolution 57 disapproving the extension of Normal Trade Relations to the People's Republic of China.

We have, of course, none of us a quarrel with the 1.2 billion citizens of China. But in extending this trading status we have to ask ourselves, what has the Chinese Government done, one of the last Communist dictatorships on earth, to deserve, to merit this consideration?

The Chinese Government's record reads, frankly, more like an indictment. China flagrantly violates the human rights of its own citizens and internationally recognized labor standards. It fomented anti-American hatred after our clearly accidental bombing in Belgrade. It recently began saber rattling against Taiwan, and it repeatedly, repeatedly has been unwilling to make vital democratic reforms.

This past June marked the 10th anniversary of the Chinese Government's crackdown on the advocates of democracy in Tiananmen Square. Has the injustice stopped since Tiananmen? No, not at all. Over the past few months the government has once again detained dissidents, handing down sentences of up to 4 years in prison for, and I quote, ''subverting State power, assaulting the government, holding illegal rallies, and trying to organize workers laid off from a State-run firm.'' I suggest all of those are values that America holds dear.

The Washington Post reported this past Sunday that Chinese security forces have rounded up in this month 4,000 people in Beijing alone during a massive nationwide crackdown against the popular Buddhist-based spiritual movement, Falun Gong. But the human rights and labor standard violations are only one in a series of provocative acts by the Chinese Government.

China's recent threat of military action against Taiwan threatens the very security of that region. In addition, the breach in security at American nuclear weapons labs over the past 20 years threatens us.

I say to my colleagues, reject Normal Trade Relations, adopt this resolution. Send a clear, clear message of American values.

Mr. LEVIN. Mr. Speaker, could we be informed of the time on all sides.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Michigan (Mr. LEVIN) has 30 minutes remaining; the gentleman from Illinois (Mr. CRANE) has 24 minutes remaining; the gentleman from California (Mr. ROHRABACHER) has 25 minutes remaining; and the gentlewoman from California (Ms. PELOSI) has 22 minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arkansas (Mr. BERRY).

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

Mr. BERRY. Mr. Speaker, trade with China is absolutely essential. We face the challenges that trade with China press, or we can turn our back and face the consequences: lost markets for America's farmers and the possibility of food shortages in China. China does not have enough food to feed its population. They have 25 percent of the world's population and 7 percent of the world's arable land. We have an agriculture trade surplus with China that is absolutely essential to our agriculture community. In 1997, U.S. agriculture sales to China totaled $4 billion. We have a huge trade surplus in agriculture with China, 250 percent in our favor. They are one of our largest wheat customers.

China is a growth market. They are increasing food imports. NTR is critical to our market access. As the Chinese economy improves, more value-added goods will be bought. China will have to play fair to enter the World Trade Organization. China must show improved access to U.S. agriculture products and revoking NTR will derail this progress.

□ 1230

Engagement will result in improvements. We want a peaceful and prosperous China. One billion hungry people does not lead to a stable democracy. The U.S. is well-positioned to help feed their people while maintaining positive relations. Turning our back on China today would be a huge mistake.

I urge Members to vote to maintain trade with China. Vote no on House Joint Resolution 57.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS), a great champion of American values.

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

Mr. STEARNS. Mr. Speaker, I rise this afternoon to support House Joint Resolution 57, to disapprove the extension of what I call most-favored-nation trading status for China.

To my colleagues on both sides of the aisle, I say that we as Americans are not being true to our heritage if we continue to do business with people who are tyrants, who trample upon all that we hold sacred. Let me repeat that, we are foolish to do business with tyrants who trample upon all that this great Nation holds sacred.

Adam Smith wrote the Wealth of Nations, and we all use it as a guide in trade relations. He quotes three reasons to put up tariffs and protect American companies. One is for retaliation of unfair trade practices, which has been occurring. Two is to phase out trade tariffs in our country to protect obsolete industries. We should do this as a moral imperative. Lastly, it is to protect a nation's national security.

I submit to this body today, the question on this resolution is one of our national security. We cannot continue to do trade with a country that is arming itself to the teeth with our money, has provided missiles to Iran and nuclear technology to Pakistan, has fired missiles towards Taiwan to intimidate its government, has launched the greatest military buildup in Asia since Japan in the 1930s. It is continuing to warn Japan and trying to intimidate it.

Mr. Chairman, this is a country that is arming for war. It has stolen U.S. satellite missile technology, has targeted 13 of its 18 intercontinental ballistic missiles at the United States of America. It has ignored our protests of the persecution of Christians and political dissidents.

Are we being prudent? Are we going to turn our back on all the sacred heritage of our country for the dollar sign? I submit that China itself is dysfunctional, it is going to have a currency collapse soon and we should not go forward with this most favored nation status for China.

In the sixth century B.C., Chinese general Sun Tzu wrote, ''The opportunity to defeat the enemy is often provided by the enemy himself.'' Are we providing China this opportunity? I urge the approval of this resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair will remind Members that all graphs and charts to be used on the floor should be put in place at the beginning of the speaker's presentation and then removed at the end of the speaker's presentation, so the Chair would ask Members to take down charts that are not utilized at that time.

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

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

I rise in opposition to this resolution and in support of continuing trade relations with China. For my part, I do not believe that isolating China economically will do anything to improve their human rights record. We must not make the mistake of now believing we can isolate one quarter of the world's population and then expect to have any influence on their social and political institutions.

I, too, am outraged by the political and religious oppression that has taken place in China, but shutting the few openings in China that exist cannot stop it. Rather, I believe that the more involved we become, the more we are commercially engaged with China, the more results we can achieve in securing greater political and religious freedoms for the people of China, as well.

Mr. Speaker, trade does open the window of the world to the Chinese people and to our American ideals. We need to keep that window open. Closing it hurts us more than China.

Mr. Speaker, I rise in opposition to H.J. Res. 57 and in support of continuing Normal Trade Relations (NTR) with China.

This debate over China NTR gives focus to our economic, as well as strategic relations, with China. And this debate allows Members to express the deep concerns of all Americans about political and religious oppression that occurs in China.

For my part, I do not believe that isolating China economically will do anything to improve their human rights record. We must not make the mistake now of believing we can isolate one-quarter of the world's population and then expect to have any influence on their social and political institutions.

I, too, am outraged by political and religious oppression that has taken place in China, but shutting the few openings in China that exist cannot stop it. Rather, I believe that the more involved we become, the more we are commercially engaged with China, the more results we can achieve in securing greater political and religious freedoms for the people of China as well.

Trade does open the window to the world for the people of China.

In that regard, just let me talk briefly about just one industry—the telecommunications industry—and what its greater presence will do for the people of China. All of our lives are being changed dramatically by the ''information'' revolution. And, all of us realize that increased access to information for the people of China from sources outside China is one of the best ways we have of exposing Chinese citizens to new ideas, to broader horizons, and to new opportunities and choices for their future.

Our American telecommunications companies are at the forefront of building the infrastructure that makes information available to people around the globe.

So, let's look at China's market for these information technologies.

China is adding the equivalent of one million cell phones per month.

China is adding the equivalent of one Bell company per year.

In 1998, only ten percent of China's population had a telephone in their home.

In the U.S., roughly one half of all households have access to the Internet. In Brazil, one out of 70 families has access. In China, only one out of 400 families has access.

Yes, this is a vast untapped market for U.S. companies. And, I can assure that if we are not in China, all of our foreign competitors will be.

But it is also much more than an untapped market. Expanding access to information for the Chinese people is an untapped opportunity to expose them to our ideals and our freedoms.

There are so many other examples of both the economic and strategic opportunities in China.

And those economic opportunities are significant.

Last year alone, the United States exported $18 billion in goods and services to China, now our fourth-largest trading partner. Already, hundreds of thousands of American jobs are supported by trade with China.

For my State of New Jersey, China is now our fifth largest trading partner. Our exports to China amount to over $350 million and that trade employs some 5,000 to 8,000 residents of my state. And the potential for growth is enormous.

Here are a few examples.

One New Jersey company that has been active in China for twenty years, signed a contract for the largest single boiler project in Chinese history. This project alone will yield $310 million in orders for American goods and services, including sales for many small and medium sized companies.

Another New Jersey infrastructure company projects a market of $18 billion for its products in China over the next decade. And their sales have already increased 100% over the past five years.

One of our energy companies anticipates a $13 billion market in China over the next ten years.

For one of our insurance companies, 40% of their new premiums were sold in China in 1998.

It is clear from just these few examples that failing to extend Normal Trade Relations Status to China will slam the door shut for American products and services in the world's most populous market. It only serves to leave China open to our foreign competitors who all have normal trade relations with China. American companies and their employees would be punished by this shortsighted action, not the Chinese government.

Again, renewal of NTR is as much an economic decision as it is a key component of our national strategy to integrate China more fully into the family of nations. We need to maintain a stable political and economic relationship with China.

I believe that the best way to promote the cause of human freedom and democracy and our American ideals is our very presence, economically and otherwise, in China.

Therefore, I urge my colleagues to vote against this resolution and in support of extending Normal Trade Relations with China.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), who has been so very hard at work on behalf of human rights in China and a fair deal for the American worker.

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

Mr. PASCRELL. Mr. Speaker, I rise today in strong support of House Resolution 57. I find it interesting that many of the same folks who talk about political espionage are here defending trade.

To those who argue for us to continue putting the leaders of Beijing above the workers of America, I ask them to please listen for a moment. This is hypocrisy. After years of hearing the same arguments for most-favored-nation trading status, it is time for this Congress to say enough is enough.

Extending this status to China has failed to produce the results we want. We still see unconscionable human rights abuses, which we would not tolerate in other countries. We still see nuclear weapons proliferation, which we have not tolerated in other nations. We still see a widening trade deficit every year.

The annual exercise of reviewing and renewing China's NTR status has been a complete failure. It is an annual exercise in futility. America needs a new approach. The data tells us what we need to do today. We are told we need to engage China in order to achieve our economic goals. Let us get beyond the rhetoric and look at the facts.

We are on track to surpass last year's deficit with China, not close the gap. If the trend continues, our trade deficit would reach $66 billion. What does this huge imbalance mean to American taxpayers, American workers? China has engaged that strategy to manage trade, not normalize trade. It ignores intellectual property rights, it evades restrictions on Chinese textile exports, and has put the Great Wall up to prohibit foreign products from entering the market.

The U.S. levies an average NTR tariff rate of 2 percent on the Chinese. They levy a 17 percent rate on NTR trade. This is a one-way street. We should think about the families in America, and stop holding our noses and allowing this unfairness to continue.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in strong opposition to the resolution that would end normal trade relations with China. With normal trade relations, our farmers and ranchers can sell their products in China on the same terms as their competitors from Canada, Australia, South America, and Europe.

Last year U.S. agricultural exports to China exceeded $3 billion, making it the fourth largest market in the world for U.S. agricultural products. Demand for agricultural products is likely to increase as China's economy continues to grow at a rate of about 8 percent annually. That is why our competitors are eager for us to give up on the Chinese market.

In recent years the Canadian Wheat Board has worked tirelessly to promote its products in China.

The Australians hold an 8 percent stake in a flour and feed mill in Shenzen, China, and it brought together a consortium to upgrade China's grain handling and storage facilities with $1 billion worth of projects.

Our farmers are facing record low prices. While our competitors are out building market share in China, we sit here and debate whether we even want to have a normal trade relationship with its 1,237,000,000 customers.

We must continue to work towards WTO membership for China. However, we have consistently told China that its entry to the WTO depends upon a commercially meaningful agreement.

China cannot expect to maintain indefinitely the $1 billion per week trade surplus it currently enjoys with the United States.

In agriculture, the message seems to have been received. China is changing slowly, but it is changing surely. In connection with its bid to join the WTO, China has agreed to reduce overall average tariffs for agricultural products from the current 30 to 50 percent to 17 percent by 2004. For priority U.S. products, the rate will be even lower, 14½ percent. USDA estimates that with entry into WTO, China's net agricultural imports would increase by over $8 billion annually. That is a benefit to the United States workers, men and women producing the tractors, making the fertilizer, making all of the products that are utilized here in the United States.

I urge my colleagues to join me in supporting normal trade relations with China by voting no on this disapproval.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COBURN), a healer, a doctor, a person concerned about human health and human beings.

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

Mr. Speaker, I have put a sign I know that not everybody can read, but this is a contrast between two countries, country A and country B. It is the exact representation made by the State Department as far as human rights in those two countries as of the end of 1998.

I want to share with the Members just a minute what our own government says about these two countries. Then I am going to tell Members what these two countries are. The government human rights record worsens significantly, there were problems in many areas, including extrajudicial killings, disappearances, torture, brutal beatings, arbitrary arrests, and detention. That is country A.

Country B, the government's human rights record deteriorated sharply beginning in the final months of the year with a crackdown against organized political dissent. Abuses included instances of extrajudicial killings, torture, mistreatment of prisoners, forced confessions, arbitrary arrests, detention, lengthy incommunicado detention, and denial of due process.

One other area let us look at, discrimination and violence against women remain serious problems. Discrimination against women and ethnic minorities worsened during the year.

Country B, discrimination against women, minorities, and the disabled. Violence against women, including coercive family planning practices, which sometimes include forced abortion, forced sterilization, prostitution, trafficking in women and children, and abuse of children. They are all problems.

I want Members to know who these two countries are. Country A we just spent billions of dollars bombing. It is called Yugoslavia, the great enemy Yugoslavia, that perpetrated such terrible acts on the Kosovar Albanians. We spent billions bombing them.

The other country, country B, is China, which we have elevated and said we must trade with, regardless of what they do to their people. We are schizophrenic if we do continue to have normal trade relations with China. Why would we bomb one that has an identical record, and say the other must be our best trading partner?

It has to do with money, Mr. Speaker. Is America going to sell its soul?

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from Michigan (Mr. KNOLLENBERG).

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

Mr. Speaker, I rise today in strong support of extending normal trade relations to China. Trade between the United States and China is a net plus for the American people. It supports hundreds of thousands of high-paying jobs. It creates competition in the economy. It results in the American people receiving better goods and services at more affordable prices.

During today's debate, and I have heard much of it already, there has been a lot of talk about the trade deficit, about nuclear espionage and human rights. These are all very important issues. They deserve our immediate attention. However, disrupting our economic relationship with China will not do anything to solve these problems. It will only add more tensions to an already tense relationship with the Chinese and create bigger problems in the long run.

Mr. Speaker, I therefore urge my colleagues to protect the economic interests of the United States by supporting normal trade relations with China. Vote no on House Joint Resolution 57, and yes for better paying jobs and greater economic opportunities for the American people.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Wisconsin (Ms. BALDWIN), who has been a hard worker for human rights throughout the world and a star in the freshman class.

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

Ms. BALDWIN. Mr. Speaker, I rise today in opposition to renewing normal trade relations with China. I do believe that the United States needs to engage with China in an ongoing dialogue about joint economic concerns, but our dialogue cannot be limited to a discussion of trade. America's agenda needs to be broadly based, reflecting our democratic values, like free speech, freedom of religion, the right to privacy, and the right to organize. Trade is only a part of our relationship with China.

This is my first time participating in this annual ritual of NTR renewal. I call it a ritual because each year we walk through the same steps in which many of us criticize China's political and social repression. Then the majority decides we must continue NTR as our best hope for creating change in China.

□ 1245

It certainly seems to make sense except for one thing. It has not been working. Since 1980 when we began this NTR renewal ritual, we have seen some reforms. However, no similar progress is being made on human rights, labor standard, and democratic reform. Therefore, I urge my colleagues to join me in voting in favor of H.J. Res. 57.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman from Michigan for his courtesy in yielding me this time.

Today, the United States and China spend hundreds of millions of dollars spying on each other. But despite all the spying, I do not think we really know each other very well.

China is in fact a study in contradictions. Today, it is more modern and open than ever before in its 4,000-year history. Yet, it is in fact reacting defensively in an agitated fashion regarding the continued controversy with Taiwan.

We have our demonstrators outside here on the grounds of the Capitol dealing with the local religious movement, Falun Gong, that has captured so much interest in China.

It is an ancient nation that is modernizing rapidly, but this society filled with state-run activities is paying a substantial price as it downsizes its bureaucracy, modernizes its institutions, and privatizes it its state-owned industry.

The United States has paid a terrible price in the past for misunderstanding China. During World War II, we bet on the wrong horse. Barbara Tuchman's brilliant biography of Joe Stillwell makes clear the waste of resources for the corrupt Kuomintang government of Chiang Kai-Shek, who was not interested in fighting the Japanese, when we could have done something more constructive with Mao Tse-Tung.

During the Korean War, we had thousands, tens of thousands, of needless American casualties because General McArthur, in flagrant disregard of orders and common sense, overplayed his hand. Yet, the Cold War was won more quickly in part because Richard Nixon had the courage to reverse his course of action and engage in a strategic alliance with China.

Lots of countries we disagree with abuse human rights and do not honor democracy or the free market. Sometimes, sadly, that happens with the United States complicity. We gave arms to terrorists with Ronald Reagan.

Normal trading relations does not mean we condone that behavior. It just

gives us more tools and opportunity to do something about it. The world will be a better place sooner. One only has to review 4,000 years of Chinese history and look at where we are today to know that we are, in fact, on the right path.

Mr. ROHRABACHER. Mr. Speaker, it is my honor to yield 4½ minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from California for yielding me this time. I want to thank the gentleman for leading our debate and introducing his resolution.

Mr. Speaker, each year at this time, Congress has the opportunity to review the results of the administration's China policy, and each year it becomes more clear how miserably that policy has failed.

In the 5 years since President Clinton delinked China's MFN status from human rights, there has been significant regression, not progress in China. Now, even as we hold this debate, Beijing is conducting another major crackdown, the most important internal security exercise since the Tiananmen Square massacre against religious freedom.

Mr. Speaker, the Chinese government knows this vote is taking place today. We are being watched, and we are being tested. The test is simple. If we ignore the latest escalation in the brutality, if we just vote the same way we have in the past, then we fail. We will have abandoned the Chinese people. We will have abandoned our ideals of democracy and human rights.

I ask my colleagues, what will it take for us to say no more business as usual with Communist China? I would respectfully submit that any reasonable limit has been passed a long time ago.

Mr. Speaker, the administration's so-called policy of constructive engagement on behalf of human rights has been a disaster, even according to the administration's own benchmarks. In quarterly reports, Amnesty International tracks the seven human rights policy goals that President Clinton announced before his 1998 trip to Beijing.

Those Amnesty reports detail a complete lack of progress in all categories. Let me explain. On the release of all prisoners of conscience and Tiananmen Square prisoners. Amnesty reports total failure, regression.

Two, review of all counter-revolutionary prison terms: Total failure, no progress.

Allow religious freedom. Amnesty reports total failure, no progress.

Four, prevent coercive family planning and harvesting of organs: Total failure, no progress.

Five, fully implement pledges on human rights treaties: No progress.

Six, review of reeducation through labor system: Total failure, no progress.

Seven, end police and prison brutality: Again, Amnesty reports total failure, no progress.

Mr. Speaker, the Communist government of the PRC blatantly and systematically violates the most fundamental human rights. It tracks down and stamps out political dissents. Just turn on television news. It is happening before our very eyes. The Beijing dictatorship imprisons religious leaders, ranging from the 10-year-old Panchen Lama to the elderly Catholic Bishop Su of Baoding. The gentleman from Virginia (Mr. WOLF) mentioned this holy and heroic man earlier. I led a human rights delegation to China a few years ago. Biship Su met us and celebrated mass. For that he was put into prison. Bishop Su said nothing offensive about the government. He loved those who hated him.

The Chinese government also harvests and sells the internal organs of executed prisoners. Harry Wu—the great Chinese human rights leaders testified about this practice at one of my hearings. China, as we all know forces women who have unauthorized pregnancies to abort their babies and then to be sterilized against their will. Brothers and sisters are illegal in China—forced abortion is common place. China continues to brutalize the indigenous peoples of Tibet and of Xinjiang Uighur Autonomous Region, and it summarily executes Muslim Uighur political and religious prisoners.

Mr. Speaker, when will we learn the lesson that, when dealing with the PRC, the U.S. cannot settle for paper promises or deferred compliance? The Chinese dictatorship regularly tells bold-faced lies about the way it treats its own people. It says, for example, that nobody died in Tiananmen Square. Mr. Cho Hao Tlea, the Defense Minister in this city, said no one died there.

Mr. Speaker, I convened a hearing of several of the leaders of the democracy movement, some of the dissidents in correspondence who gave compelling testimony about how people died at Tiananmen Square; and, yet, the defense minister said nobody died. Incredible! I invited the defense minister to our hearing—he was a no show.

Mr. Speaker, as we know, the Chinese Government claims religious freedom exists in the PRC. We know now there is no religious freedom. But brother knows better.

Mr. Speaker, since my time is about to expire, I just want to remind Members that when the business community and the administration want to see intellectual property rights protected, what do we do? We threaten sanctions. I believe we should put people at least on par with pirated software, CDs, and movies. This Congress should declare that torture, forced abortion, and overt crimes against humanity count at least as much as protecting copyrights and consumer goods. Sanctions do work if consistently applied.

I urge a ''yes'' vote on the very important resolution of the gentleman from California (Mr. ROHRABACHER). And salute him for his wisdom in offering it today.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. EWING).

Mr. EWING. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Mr. Speaker, I rise today to oppose the resolution which would unilaterally isolate China from the U.S. only. Support normal trade relations with China. I support China being a part of the WTO. China will be one of the superpowers in the next millennium. Peaceful co-existence between us is to all of our benefit.

Now, we all understand that things are not as we would like them in China. But how do we most impact that? I think by engaging them, engaging them in how to handle human rights, by engaging them in fair trade, our intercourse with China since the close of the Cold War has paid dividends. To put our head in the sand and to back away from it would be ill-advised.

Mr. Speaker, I come to the floor today to again express my strong support for continuing Normal Trade Relations with China.

Since I came to Congress in 1991, this debate has gone on every year and every year I have come to the floor to explain how important trade with China is to our farmers.

It is essential that we continue to grant Normal Trade Relations to China. China will be the most important market for the United States in the 21st Century and granting Normal Trade Relation status is the foundation of any typical bilateral trading relationship.

The recent negotiations for China's accession to the World Trade Organization are proof that China is ready to join the international trade community and we cannot pass up this opportunity.

My home state of Illinois is the 6th leading exporter in the United States and over half a million jobs in Illinois rely on exports. The current crisis in agricutlrue has placed a spotlight on the huge need for increased foreign market access.

USDA has predicted that 75% of the growth in American farm exports over the next 10 years will be to Asia—and China will make up over half of this amount.

China is already America's 4th largest agriculture export market and if the administration will complete the WTO accession agreement our farmers and ranchers will have the level playing field that they have been waiting for.

I urge members to vote against this resolution of disapproval and urge the Administration to complete the bilateral agreement for China's accession to the WTO.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY), a person who has been a faithful trooper in the fight for human rights throughout the world and a great leader.

Ms. WOOLSEY. Mr. Speaker, we have been told that, with MFN, China has made progress in many areas. To that I ask, what progress?

Right now, as we speak, thousands of Buddhists have been and are being arrested and jailed, jailed and arrested for their beliefs, and that is their only crime. Repression of religion is not progress.

Just last year, last year, three founders of the China Democracy Party were jailed for expressing opposition to China policy. Repression of democracy is not progress.

Child labor and the forced labor of political prisoners continues to be business as usual in China. Denial of workers' rights is not progress. Forced abortion, nuclear proliferation, and an expanded trade deficit is not progress. Extending China's NTR status amounts to rewarding China for continuing its human rights violations.

Vote to support real progress. Vote for H.J. Res. 57.

Mr. LEVIN. Mr. Speaker, I yield 2½ minutes to the very distinguished gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, we are not in conflict over the facts. I think we agree on the facts. What we are debating is the conclusions as to how to best address those facts.

We agree that forced sterilizations and forced abortions occur, and they are wrong. We are not disputing that. We agree that communism does not work, that it is a bankrupt ideology, that it offends the human condition, that it represses the human spirit, that it is just plain wrong.

But I would hope we would also agree on other facts that cannot be disputed. One such fact is that there is no other major Nation that does not extend normal trading relations with China. That is all we are talking about, continuing the normal trading relations that we extend to every other trading partner, but for a very few pariahs.

We would also hope that we would agree that there are about 200,000 American jobs involved here. We would also hope that we would agree that if we cut off normal trading relations with China and isolate them, that there is an adverse impact upon our economy, and that there will be other countries coming in to fill the gap, countries who, in many cases, have far less commitment to human rights and economic progress, and individual liberties than the United States does. We must all share a confidence in our universal commitments to human rights. Surely, no one on the other side is suggesting that we who will vote to extend NTR to China are so heartless that we don't care about the numerous violations of human rights that occur on a daily basis.

I think these things are clear. So when we weigh all the facts, we who agree that human rights are being violated every day, have come to the conclusion that the best way to change China's attitude is to improve their standard of living.

If we improve their standard of living, they will want to have individual freedoms. They will insist upon it. They will insist upon a free enterprise economy. Eventually, they will become a democratic state. That is what we want. We agree on the facts. We want to get to the same place. We are just as committed.

Support normal trade relations with China. Reject this resolution before us today. Give the Chinese people their best chance to break the chains of communist ideology.

I rise to oppose this resolution and support renewal of normal trade relations with China.

This is not a disagreement over facts but rather over judgement on how best to address those facts. I share the concerns expressed by some of my colleagues regarding human rights abuses by the People's Republic of China.

I am deeply troubled by the religious persecution that is occurring in China, including the recent crack-down on Falun Gong practitioners. Christians, Catholics and anyone who puts their God above their State is considered to be a threat to China's leaders today. However, I disagree with the premise that discontinuing normal trade relations will somehow positively improve human rights in China.

Promoting normal trade and continued economic engagement, over time, will help open up Chinese society. History has proven this inevitability. The very activities that trade and engagement bring to China help foster a climate under which religious teachings can spread and flourish.

Canceling or conditioning NTR further isolating China would only damage our interests and undermine support among our allies to keep pressure on the Chinese government to institute more fundamental political and economic reforms and human rights protections.

I would like to remind my colleagues that trade is not a partisan issue. NTR status for China has been supported by every President, Republican and Democrat alike, who has confronted this issue.

By continuing normal trading relations with China, we extend ordinary tariff treatment that we grant to all but a few nations. We are not providing China special treatment and we are not endorsing China's policies. We are simply supporting the best way to promote U.S. interests.

But, we should continue normal trade relations with China for more than just economic reasons. It is in our national interest.

By resuming NTR with China, we advance our long-term national interests in achieving democratic and market reforms in the world's most populous nation.

Our national interest are best served by a secure, stable and open China. The way we engage the Chinese government will help determine whether China assimilates into a community of nations and follows the rule of law or becomes more isolated and unpredictable.

Continuing normal trading relations with China also serves our best economic interests. Approximately 200,000 U.S. jobs are tied directly to U.S. exports to China.

In the absence of this relationship, we would be placing our firms that are making great strides gaining new market share in China at a severe disadvantage.

We would be standing alone on a trade policy that neither our allies nor our trade competitors would follow. Our competitors would reap the benefits of business opportunities that would otherwise go to U.S. firms.

The United States is the only major country that does not extend ''permanent'' normal trade relations to China. Revoking NTR status with China would only increase prices which U.S. consumers pay for goods and services and ultimately cost U.S. jobs. If the Chinese do not buy our products, they will buy them from Europe and other Asian countries.

We would also be passing the cost of higher tariffs on Chinese exports, more than $500 million annually, on to U.S. consumers. Clearly, it's the American consumer who loses if we do not continue NTR with China.

Higher tariffs on Chinese exports would only shift our demand for inexpensive, mass-market consumer goods to other developing countries and would not result in a net gain in U.S. manufacturing jobs.

China is the fifth largest trading partner of the U.S. Two-way trade between the U.S. and China has increased almost tenfold between 1990 and 1997, increasing from roughly $10 billion to $75 billion.

This growth is expected to continue to rise in the 21st century as more Chinese benefit from an improved standard of living and increased purchasing power.

Our current trade imbalance with China can best be narrowed through increased trade and liberalization of the Chinese economy. As their income rises, demand for high-quality U.S. products increases and our trade deficits decline.

In short, we have much to lose and little to gain by failing to continue our current trading relationship with China. I urge my colleagues on both sides of the aisle to vote in our national interest and support normal trade relations with China.

Mr. ROHRABACHER. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. BURTON), the man who has studied this issue and realizes that Japan and Nazi Germany were both very, very developed in their economy, and they also were aggressors and human rights abusers.

Mr. BURTON of Indiana. Mr. Speaker, here we go again. First we gift wrap and hand over to Communist China virtually all of our most sensitive secrets. Now we are going to grant them most preferential trade status. What in the world is going on?

China has stolen data on the W–88 nuclear warhead and the neutron bomb. They have funneled illegal campaign contributions to the Democratic party and the administration. They are transferring missile technology to countries like North Korea and Iran. They continue to violate basic human rights. They are circumventing our trade laws by transshipping their textile goods through third countries.

□ 1300

Does this sound like a country that deserves preferential treatment?

According to Paul Redmund, the CIA's chief spy hunter, China's spying was far more damaging to national security than Aldrich Ames and would turn out to be as bad as the Rosenbergs, who were executed back in the 1950s for that.

A team of U.S. nuclear experts practically fainted when the CIA showed

them the data that China has stolen. The Chinese penetration is total, said one official. They are deep, deep into the labs' black programs, thus endangering every man, woman and child in this country.

Why are we rewarding China for its spying? For God's sake, this is the country that funneled illegal contributions to President Clinton's 1996 reelection campaign. This is the country that told Johnny Chung, we like your President, and then gave him $300,000 to give to the Democrat Party.

Johnny Chung testified under oath that he was directed to make illegal contributions to the President's campaign by General Ji, who is the head of China's military spy operations worldwide. General Ji met with him three times and ordered that $300,000 be directed to Chung for political contributions here in the United States.

One of its joint ventures was the Indonesia-based international firm called the Lippo Group, run by Mochtar and James Riady, close friends of the President, and who frequently visited the White House. James Riady's chief adviser on political donations was John Huang, a former employee of Lippo. John Huang received a job from the Clinton administration at the Commerce Department. He later left Commerce to work for the Democratic National Committee where, with the help of James Riady, he collected nearly $3 million in illegal contributions from China. Mr. Speaker, Johnny Chung, John Huang, and Charlie Trie together raised over $3 million in illegal donations that we know of that have been linked to the Bank of China.

Over the past 2 years, my committee has been conducting an investigation into illegal fundraising, including illegal efforts by the Chinese Government to influence our elections. We asked the Bank of China to provide us bank records that would show the origins of millions of dollars in foreign money that was funneled to the DNC. The Bank of China turned us down flat.

We had 121 people take the fifth amendment or flee the country. A number of the most important people among this list are hiding in China. When my staff attempted to travel to China to interview these people, the Chinese Government denied us visas and threatened to arrest our investigators. Does this sound like a country that deserves preferential trade status?

Does it really make sense to give preferential trade status to a country that is helping North Korea build a missile capable of delivering nuclear warheads to the West Coast of the United States?

With respect to trade, in the last 10 years, 91 percent of all illegal transshipment cases have been filed against China. The U.S. Customs Department has cited China for illegally transshipping textile and apparel goods through more than 30 other countries.

Mr. Speaker, in just about every area I can think of China's record stinks. They spy on us, they try to buy our elections, they send missile technology to just about every rogue regime in the world, they are actively working to improve the missile technology of our enemies, and they thumb their noses at our trade laws and have one of the worst human rights records in the world. How all this merits preferential trade status is beyond me.

I urge a vote in favor of House Joint Resolution 57. It is time to show China some backbone and stop letting them walk all over America.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

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

Mr. PITTS. Mr. Speaker, everyone agrees that the Chinese Government is in desperate need of reform. Everyone agrees they violate human rights. Its leaders imprison dissidents, muzzle free speech, raid house church meetings, force women to have abortions, and outlaw opposition political parties. However, according to humanitarian workers in China, revoking normal trade relations would be counterproductive. They have told me that revoking NTR would strengthen the Chinese regime and actually intensify these human rights abuses.

We should listen to these people, many of whom have committed their lives to service in China. They know the language, they know the culture, and they know the mentality. And I wish to share a couple of comments from them with my colleagues.

Reverend Daniel Su, a member of a Christian house church in China says, ''To revoke China's NTR status as a way to better its human rights performance is like setting your car on fire when it stalls.''

I have many quotes which I will not have time to say here, but listen to this quote of a letter signed by 32 Christian groups working in China. ''NTR is the core of America's engagement policy toward China. Taking it away will hurt the Chinese people, particularly those who are persecuted because of their religious faith. When U.S.-China relationships deteriorate, Christians in China will be blamed and penalized.''

Mr. Speaker, let us listen to these people who have a deep, longstanding involvement in China. They are working in China because they love the Chinese people and believe that revoking NTR will hurt those that we are seeking to help. I believe it is more effective for the U.S. to address our human rights abuses through the diplomatic perspective. Support NTR.

Ms. PELOSI. Mr. Speaker, I would like to make an inquiry about how much time is remaining in the debate.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentlewoman from California (Ms. PELOSI) has 18 minutes remaining; the gentleman from California (Mr. ROHRABACHER) has 14½ minutes remaining; the gentleman from Illinois (Mr. CRANE) has 17½ minutes remaining; and the gentleman from Michigan (Mr. LEVIN) has 21½ minutes remaining.

Ms. PELOSI. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means and a champion of human rights; and also, Mr. Speaker, I ask unanimous consent to yield control of the time back to the gentleman from California (Mr. STARK).

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

There was no objection.

Mr. CARDIN. Mr. Speaker, China's human rights record ranks with the former Soviet Union and the former apartheid government of South Africa.

One of the proudest moments in the history of our Nation is when we used trade to bring about change in the Soviet Union, when we used trade to bring about change in South Africa, and we can do it again. The reason is quite clear. China needs the U.S. consumer. It gives us leverage to bring about change. It has worked in the past and it will work again.

U.S. consumers should not be financing the oppressive regime in China, and that is exactly what they do if we extend the Most Favored Nation status to China. I urge my colleagues to support the resolution of disapproval so that we can speak with a clear voice as to what is happening today in China.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I thank the gentleman from Michigan (Mr. LEVIN), a member of the Committee on Ways and Means, for yielding me this time.

In the past, I have always supported normal trade relations with China, and this year it is much more difficult because of the response of the Chinese Government and the people of China to the accidental bombing of the embassy in Belgrade. A country that wants to be our friend and partner does not use misfortune or tragedy as an opportunity to attack our diplomats and also to damage United States property.

I have worked with companies in my district to expand their business in China. I expected a much different response from a country that has such a long history and is known for its courtesy. I hope the Government of China realizes they cannot expect our friendship and cooperation on one day and then attack our country's representative the next.

Our balance of trade deficit with China bothers me a great deal. Knowing the state of our relations with China, it is not the time to revoke

normal trade relations. We need to have cooler thoughts, both in our government and in China. By not renewing normal trade relations for this year, we invite international competitors to establish a stronger foothold while further isolating our companies in what has the potential to be one of the largest consumer markets. Again, our competitors are not as concerned about the human rights in China as we are.

Also, we need to remember that this is just the annual renewal of normal trade relations with China. We have a lot of work to do before we admit China to the World Trade Organization, but we are heading down the right path, and this is one step in that direction. We will revisit this issue again, if not this fall, again next year.

Mr. Speaker, I urge rejection of this resolution.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I rise in strong opposition to this measure which would disapprove continued normal trade relations trading status with China.

As we know, NTR trading status does not provide any preferential treatment but rather grants the ordinary tariff treatment that the United States extends to virtually every nation in the world. Fewer than a dozen countries do not have NTR status, including North Korea, Cuba, Afghanistan, Iran, Iraq, and Libya.

The problem with the underlying resolution, as well intentioned as it is among its sponsors, is, I believe, that it will alienate any type of relationship we may have with China. And while we have had severe problems because of their espionage program against the United States, and we all have severe concerns about their human rights violations, I do not think it is a country that we want to just cut off relations with. I think there are both foreign policy concerns and economic concerns.

Furthermore, I think, in my opinion, there really are two China's. There is the old hard-line China that is fighting the new market-oriented China. And we have a fight going on in the upper levels of the Chinese Government of whether or not to move the economy towards more market orientation, which we know will bring about capitalism and will bring about more freedoms in the countries; and the old-hard line regime that wants to stop that. I think by cutting off trade relations, as the underlying resolution would propose to do, it would undercut those who want to move towards a more market-oriented government.

Finally, what effect would this have? This would force the Chinese to devalue their currency, which would be incredibly destabilizing to the region where the U.S. has about 35 percent of its export market. That, in turn, would increase our trade deficit here, cost American jobs, not create American jobs; and I think that would be detrimental to the American economy. So to vote for this resolution, while well intentioned, it is, in my opinion, a vote against American industry and a vote against the American worker.

Mr. Speaker, maintaining China's NTR status is important because of the significant impact it has on the U.S. economy. In 1998, the U.S. exported over $14 billion in goods and services to China, benefiting thousands of U.S. companies and hundreds of thousands of American workers. In the state of Texas, exports to China provide jobs and income for more than 33,000 families; and China and Hong Kong were the state's seventh-largest export market in 1998. In Houston, the trade ties to China are equally significant. Trade through the Port of Houston totaled $577 million in 1997, with exports accounting for 76 percent of that total.

The relationship between the U.S. and China has undergone significant strain in recent months with the theft of nuclear weapons secrets, the accidental NATO bombing of the Chinese Embassy in Belgrade, increased tensions between China and Taiwan, and China's recent crackdown on political demonstrators. While these are legitimate national security concerns, U.S. security interests would not be enhanced if relations with China worsen as a result of revoking NTR. The best way to bring about broad and meaningful change in China is through a continued policy of frank, direct engagement that enhances our ability to work with and influence China on a broad range of concerns. While the bilateral relationship continues to be tested, it is vitally important that the fundamental elements of the relationship be maintained.

Failure to renew NTR would further destabilize the Pacific Rim region economically and politically at a time when many Asian countries are beginning to recover from their worst financial crisis since World War II. Revoking NTR would put additional pressure on China to devalue their currency, likely resulting in another round of currency devaluations in Asia that could undermine the efforts of the International Monetary Fund and the U.S. Treasury to contain the crisis and worsen our trade deficit.

Through our continued policy of engagement, the U.S. has worked to ensure that China's accession to the World Trade Organization is predicated on strong commercial terms that provide significant market access for exports of U.S. goods and services. Our policy of engagement has also obtained significant Chinese concessions on South Asian security, nuclear proliferation, drug trafficking and human rights. Much work remains to be done. Normal trade relations will continue to advance the process of opening China, exposing Chinese people to American ideas, values and personal freedoms.

A policy of principled engagement remains the best way to advance U.S. interests and create greater openness and freedom in China. The renewal of NTR trading status is the centerpiece of this policy, and I urge my colleagues to reject this resolution and support continued trade with China.

Mr. Speaker, I hope my colleagues will defeat the resolution.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES), a man who represents tens of thousands of U.S. Marines and their families in his district, and a man who cares deeply about American national security.

Mr. JONES of North Carolina. Mr. Speaker, I rise today in strong support of H.J. Resolution 57. For the last 5 years, I have opposed extending Most Favored Nation status to China. Every year the administration promises that our relations with the Communist country will improve, and every year China proves us wrong.

In 1995, Congress extended normal trade status to China. The conditions were to stop abusive human rights practices and stop exporting lethal weapons. China has not stopped these practices. The CIA reported in 1996 that China was the greatest supplier of weapons of mass destruction and technology to foreign countries.

China has not put an end to its long and established history of human rights abuses, like forced abortion and sterilization. China never lives up to its end of the bargain.

The Chinese citizens who seek democracy are often jailed, tortured, and even killed. Religious leaders are harassed and incarcerated, and places of worship closed or destroyed when the faith and church are not sanctioned by the Chinese Government.

Mr. Speaker, what is more frightening is that our own government seems unconcerned about the security of America. This administration turns a blind eye when China sells technology to our enemies and steals our nuclear secrets.

Mr. Speaker, before we extend this economic advantage to China, we must see proof that China is serious about extending freedom to the Chinese people and becoming a partner in this world.

Mr. Speaker, I support H.J. Resolution 57 and encourage my colleagues to do the same.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the resolution.

I would like to take a few moments to discuss the effects of trade on our economy. Whenever trade policy is discussed, people forget the many benefits that free trade bestows on our Nation. Today, tradeable goods represent approximately 30 percent of our gross national product, and the export sector remains one of the shining lights of our economy. Exports have grown rapidly in the last decade, creating thousands of new jobs, and these jobs pay considerably more than jobs that are unrelated to trade.

Trade also benefits consumers. As these trade barriers fall, resources are able to flow more efficiently. American companies engaged in international trade become leaner and more competitive. As a result, consumers in all our districts enjoy lower prices and better products.

Indeed, the efficiencies created by trade have been a critical component to the economic prosperity we now enjoy. I urge my colleagues to defeat this resolution.

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Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. LEE) a leader in the fight for human rights and my neighbor.

Ms. LEE. Mr. Speaker, I thank my colleague from California (Mr. STARK) for his consistent work on behalf of human rights throughout the world.

Mr. Speaker, I am joined with my very courageous colleague from Oregon (Mr. WU) in support of this resolution to not oppose normal trade relations with China.

I do not cast this vote lightly. My district is part of the wonderful gateway to Asia. Our local economy is heavily dependent on our trade with China even with the trade deficit increasing from $63 billion to about $70 billion.

However, I am acutely and painfully aware of the importance of basic human rights for people throughout the world. There continues to be major violations by the Chinese Government of the rights of the Chinese people.

I am a firm believer of self-determination for China. China has chosen communism. That is their right. However, it is wrong to round up, to intimidate, and to arrest people, place them in slave labor camps with no due process.

The time is now to send a strong, unyielding message that the United States will not condone mass suffering and oppression.

We are not talking about cutting off our relationship with China. We want to modify our trade relations so that people of China and the United States can benefit from a fair and free trade policy.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. DOOLEY).

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

Mr. DOOLEY of California. Mr. Speaker, I rise today to express my opposition to this resolution of disapproval regarding normal trade relationships with China.

Clearly, the United States' relationship with China is complicated. Recent events, including the bombing of the Chinese Embassy in Belgrade, China's reaction to the bombing, and evidence of spying in our national labs have only added complexities to our relationship.

We are all in agreement that we must take steps necessary to protect our national security interests and to ensure that our counterintelligence programs prevent future security breaches. But at this critical juncture, we would be foolish to abandon our economic and political relationship with China and with it our ability to influence their economic, political, and humanitarian policies in the future.

I agree with Presidents Clinton, Bush, Reagan, Carter, and Ford that a policy of engagement is better than a policy of isolation. We cannot afford to embrace a Cold War mentality that would demonize and isolate China.

A policy of economic and political engagement is the surest way to promote U.S. interests in China, to advance democracy and human rights within China, and to enhance future economic opportunities for U.S. workers and businesses.

In addition to today's important vote, we must move swiftly to finalize a WTO agreement that will bring China into the international trade community. The United States is aggressively pursuing a WTO agreement for the past 21 months, and Ambassador Barshefsky should be complimented for the agreement that she has negotiated to date; and, hopefully, it will soon be finalized.

While a WTO agreement would present tremendous opportunities for U.S. workers and businesses, bringing China into the WTO is more than just a matter of market share. China's accession into the WTO would lock China into a rules-based international organization and bring them into the legal framework of the international community through the WTO.

Mr. Speaker, I recognize the problems that currently exist in China. I appreciate the efforts of some of my colleagues and remain committed to improving in the area of human rights and trade policy and proliferation.

Since the reestablishment of diplomatic relations with China in 1979, total trade between our two nations has increased from $4.8 billion in 1980 to $75.4 billion in 1997. This makes China our fourth largest trading partner. China's economy is growing at an average rate of almost 10 percent a year, making it one of the fastest growing economies in the world.

In order for the United States to remain the dominant economic power in the world, we cannot close the door on the most populous nation in the world. China will continue to have a growing influence on the world's economy. For U.S. businesses and workers to continue to prosper and grow, we need continued economic engagement with China by renewing Normal Trade Relations.

In addition to today's important vote, we must move swiftly and finalize a WTO agreement that will bring China into the international trade community. The United States has been aggressively pursuing a WTO agreement for the past 21 months, and while an agreement has not been finalized, the deal currently on the table presents tremendous market opportunities for all sectors of the U.S. economy including agriculture, information technology, financial services, and manufacturers. Ambassador Barshefsky and her negotiating team are to be commended for their extraordinary efforts in reaching this unprecedented agreement.

As a member who represents the nation's number one agricultural district, I want to thank the Administration for negotiating an agreement that presents tremendous opportunities for U.S. producers. With respect to agriculture, high Chinese tariffs on nearly all agricultural products would be reduced substantially over the next four years. It is projected that by the year 2003, 37 percent of the world food demand will come from China. America ranchers and farmers are the most efficient and competitive in the world. The WTO agreement on the table would move to level the playing field and allow U.S. agriculture tremendous access to the world's largest agricultural market.

And agriculture isn't the only sector that would benefit. The agreement would also open Chinese markets to a number of U.S. industrial products and services including information technology products, automobiles, insurance and financial services. Quotas on information technology products would be reduced from 13.3 percent to zero, and China would agree to adhere to the Information Technology Agreement negotiated in 1996. In addition, the agreement offers U.S. investment in telecommunications and entertainment for the first time, and would subject China to WTO requirements on intellectual property protection to ensure respect for U.S. copyrights, trademarks and patents. Automobile tariffs would be reduced from 80–100 percent to 25 percent. American insurance companies would be able to sell a wide range of products throughout China, as compared to the current policy that limits life insurance sales to Shanghai and Guangzhou. And American banks would be able to operate anywhere in China.

In addition to tariff reductions and other market access agreements, bringing China under the umbrella of the WTO would make China accountable for its trade practices and subject to WTO enforcement actions.

I support the Administration's policy, and am encouraged by recent reports that negotiations will resume in the near future. In spite of the recent strains place on our relationship with China, it is in our overwhelming interest to finalize a WTO agreement and maintain our policy of economic and political engagement. A policy of continued engagement is the most effective tool we have to protect our national security interests and promote our economic political ideals.

Mr. Speaker, I recognize the problems that currently exist in China, and I appreciate the effort of some of my colleagues in remaining committed to improvements in the area of human rights, trade policy and proliferation. However, I strongly disagree with the philosophy of isolation and disengagement, and believe it would be a mistake to disapprove the extension of NTR.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO), a new member of the Committee on International Relations, a strong voice for America's values and American security.

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

Mr. Speaker, I rise today in support of House Joint Resolution 57, which was commendably introduced by the gentleman from California (Mr. ROHRABACHER) in direct defiance to the Jackson-Vanik waiver renewed by the President on June 3.

Mr. Speaker, we are here today to address an issue that we characterize as

normal trade status, normal trade relations, and we want to extend it.

The implications, of course, going along with that phrase ''normal trade status,'' ''normal trade relations,'' would be that something good is happening as a result of it and, therefore, we want to continue it, normal trade relations. But in reality, Mr. Speaker, nothing good is happening as a result of having these trade relationships with China.

Now, we in fact do not export very much and as a matter of fact every year it gets worse. The amount of products that we actually export from the United States to China is relatively small. A variety of reasons: The Chinese, of course the government keeps a number of obstacles in place to prevent us from actually exporting our merchandise. And beyond that, of course, there is no market.

Relatively few people in China can buy anything when the at average income is $600 a year. That is one problem.

On the other side, of course, we do import a great deal from China; and we say that this is a good thing because we can import products that are cheaper, our consumers can buy cheaper products.

Well, it is absolutely true that we can buy cheaper products from China. It is much more difficult for American workers to compete with workers in China because, of course, workers in China, for the most part, are not paid anything. They are, in fact, slave laborers.

A recent South China Morning Post article stated, China directory contains detailed financial information on 99 labor camps with annual commercial sales of $842 million to the United States.

In other words, we import almost a billion dollars of slave labor products, slave labor produced products. How proud does that make my colleagues feel?

Vote for the amendment.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. PORTMAN), our distinguished colleague on the Committee on Ways and Means.

Mr. PORTMAN. Mr. Speaker, I rise today to support the continuation of normal trade relations between the United States and China.

There is no doubt that China has, in fact, been a significant factor in the economic expansion we have all enjoyed in this country during the 1990s.

In my own district, in Cincinnati, Ohio, we have almost doubled our exports to China during that time period. That means more jobs for my constituents, more prosperity for the families and businesses that I represent in southwest Ohio, and a healthy economy for my area, for the State of Ohio, and indeed for the entire country.

China is far from perfect. The lack of respect for human rights, the findings of the Cox report, the situation in Taiwan and other issues are serious problems. But none of these problems can be solved by disengagement.

In fact, our involvement with China, our engagement with China is one of the major reasons that the Chinese Government is continuing to stumble and lurch in the right direction with regard to liberalizing their economy in particular, but also relaxing restrictions on human rights, as the gentleman from Pennsylvania (Mr. PITTS) pointed out a moment ago based on the testimony of missionaries who are in China.

Mr. Speaker, today this Congress is presented with a very clear and stark choice. We can choose to be constructive agents for positive change in China by continuing normal trade relations, or we can choose to be virtual enemies, returning to an antagonistic Cold War style relationship.

I would just ask my colleagues a few questions. Will our Nation's best interests be served by putting the world's most populous country into the rare category of only six countries who do not have normal trading relations, countries like Cuba, Laos, North Korea? Will our Nation benefit by denying NTR status to China when not one of our competitors in Europe or Asia are not likely to follow suit?

Finally, will our children live in a safer and more secure world if we spend the next 50 years in a costly and distracting Cold War in China?

Mr. Speaker, I support continued engagement.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, there is a grotesque quality to this debate. If someone walks into this room, he really does not know whether he is listening to people who favor or oppose extending preferential trade relations with China because almost everybody begins by denouncing the horrendous human rights conditions in China.

Well, they are indeed horrendous. Ten years ago, I put up in my office this poster demonstrating how a single individual with the courage of his convictions stood up to this monstrous, corrupt, communist dictatorship.

Nothing has changed. Nothing has changed. What moral authority this body has, it relinquishes it every year as we debate this issue.

The future of China does not rest with the communist leadership of this country. It rests with the new people who are passionately committed to a free and Democratic vote, are arrested daily, and are persecuted by this rotten dictatorship.

Support the resolution.

Mr. LEVIN. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA) our distinguished colleague and a member of the Committee on International Relations.

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

Mr. FALEOMAVAEGA. Mr. Speaker, although I understand and deeply respect the arguments of my colleagues who believe it is in the best interests of the United States to remove NTR with the People's Republic of China, I must respectfully oppose adoption of the measure before us.

Mr. Speaker, the fact cannot be contested that it is the direct fruit of our policy in China engagement which has been upheld in bipartisan fashion by five administrations since President Nixon.

Mr. Speaker, I concur with my colleagues that China has much more progress to make, especially in the areas of human rights, weapons proliferation, fair trade, and Taiwan's status. However, punishing China with NTR removal will not further these meritorious aims.

An economic war with China will result in disengagement with the U.S. I believe this will fundamentally isolate the forces for continued progress and gradual reform in China, while propping up strongmen and hardliners like Li Peng and the PLA leadership who would relish, Mr. Speaker, the opportunity for heightened conflict with our country.

Mr. Speaker, this is a dangerous move at a time when even China is already volatile and extremely unstable both economically and politically.

In the interest of peace and stability for the people of China, people of the United States, and the peoples of the Asia-Pacific nations, I urge our colleagues to consider carefully the ramifications of H.J.Res. 57 and vote against this measure.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER), a man who served in Vietnam and a man who represents many military personnel deeply concerned about the security of our country.

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

Let us kind of review the bidding here. China has stolen American nuclear secrets. China has used hard American dollars that we have sent them pursuant to this trade loss that we experience with them every year to buy missile cruisers from Russia which have one mission, and that mission is to kill American aircraft carriers.

China has proliferated the components for weapons of mass destruction to terrorist nations which have a stated goal of using those weapons of mass destruction on America.

A lot of my friends have talked about this policy of engagement. And yet what do we see in terms of China's real view of the United States? I think China's view of the United States is one that is seen through a very cynical lens. They view America's policy toward China as being one that is driven by corporate greed. And because of that, they see no reason to change their policy in any of the very important areas where we would like to see

a change of policy because they feel that America's real goals, our goals of trying to secure the world, our goals of trying to help our friends and allies, some of whom are threatened by China, will always be superseded by what they view as corporate greed.

Let us prove them wrong. Let us pass Rohrabacher.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BARRETT).

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of extending normal trade relations with China and in support of keeping open the lines of communication and the doors through which we not only trade goods and services but also promote ideas and sell democracy.

The House should soundly defeat this resolution.

For many, China's spying and its poor record on human rights are reason enough to pass this resolution. But, it's not enough. And it would be counterproductive. Ignoring and trying to punish this country of 1 billion accomplishes nothing but further isolating the very people we want to help. And we risk jeopardizing a peaceful relationship with a country emerging as a world superpower.

The lines of communication and trade must stay open. It is through them that the power of American ideals, such as respect for the individual and the importance of individual freedom, can be shared. I will agree with many of my colleagues who have taken the floor today to call this a vote about abortion, but I disagree that a vote for this resolution is a pro-life vote. I want to keep open the means we have to touch those lives and let those poor people know there is a form of government that would never allow coerced abortions and force sterilizations upon its citizens.

By engaging China, we have and do make a positive difference. Change has been slow in China, but change will continue only with our continued input and influence.

No less important are the benefits to Americans of NTR. We must consider what denial of NTR will do for our exporters, especially US farmers and ranchers. We're in the depths of a price crisis in agriculture. Our producers haven't received prices this low for decades. Closing off even one trade avenue would only worsen the situation, and it would have only a negligible affect on China's behavior.

By 2003, China will account for 37 percent of the world's food demand. That's a lot of mouths to fill. With China's growing middle class and their growing demand for our superior products, this presents a tremendous opportunity for US producers.

I urge my colleagues, please don't ''cut off our nose to spite our face'' with China. Our farmers and ranchers need this market, and the people of China need our ideas and support if they are to bring about change in their government and in their lives. Let's keep the doors open.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to our distinguished colleague, the gentleman from Florida (Mr. SHAW).

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

Mr. Speaker, I rise today in opposition to disapproving normal trade relations status for the People's Republic of China.

Mr. Speaker, this Nation has had some serious issues with China: China's abysmal human rights record, its alleged attempts to influence the White House by way of illegal campaign contributions, its theft of our military secrets.

□ 1330

These are legitimate points of concern between our nations. But supporters of this resolution are wrong to state that these issues are connected or can be somehow corrected by revoking normal trade relations with China.

Let me repeat what has been said many times before. Engaging China through trade does not constitute an endorsement of China's actions or policies. As Secretary of State Madeleine Albright correctly stated in a letter to Congress, ''Revoking normal trade relations would do nothing to encourage the forces of change in China. It would not free a single prisoner, open a single church, or expose a single Chinese citizen to a new idea. It would seriously disadvantage America's growing economic interest in China, rupture the overall United States-Sino relationship, and place at risk efforts to bring China into the rules-based international community.''

I would hasten to add that revoking normal trade relations with China would also jeopardize thousands of American jobs and would dramatically drive up prices for American consumers.

Mr. Speaker, I urge a ''no'' vote on this resolution.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, the most constructive step Congress can take today to fortify our Nation's political ideals and economic foundation is to say ''no'' to renewing China's ''special'' trade status. There is nothing ''normal'' about China's trade relationship with the United States today. It is astoundingly abnormal, with gigantic and growing trade deficits.

This year it will amount to over $60 billion more of Chinese goods coming into this country than our exports allowed into their nation; over half a million lost jobs in the United States; China, now the second largest holder of U.S. dollar reserves and buying political influence around the world with that money, restructuring their markets and transshipping goods through Japan here to the United States.

All I can say is our ancestors in the Kaptur and Rogowski families came to this country for freedom. They were freedom lovers. They were opportunity lovers. I refuse to be a placeholder in this Congress for Chinese state monopolies or the Communist Party, and I am certainly not going to be a placeholder for some of the largest multinationals on the face of the globe who merely want to make profits off the backs of those who work as slaves.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to H.J. Res. 57 which would cut off normal trade relations with China.

We have heard a number of bad things that have been occurring in China and certainly all of us would concur that they are bad and they must change. But there are, I think, a number of issues that have to be raised before we deal with the issue of normal trade relations and decide what we should do with a country as large and as important as China.

I respect the point of view of my colleagues who have expressed support for this resolution, especially the gentlewoman from California (Ms. PELOSI) and the gentleman from California (Mr. STARK) who have been so adamant on this issue and so in many ways responsible in what they have done. We must change that trade imbalance that we have with China. That is not tolerable. The human rights conditions in China must improve. We all know that. And the piracy of American ingenuity, our intellectual products, whether it is our films, our music, we must protect all of those things from piracy that we see going on in China. But you cannot negotiate and you cannot settle anything if you are not willing to sit down at the table with folks. You have to engage. There is no way we can ever deal with the piracy issues, the human rights issues, the issues of the trade imbalance, if we are not willing to sit down with the Chinese and say, ''This is where we need to go together.'' It would be foolish for us to just all of a sudden break.

Are the Europeans, any European country breaking relations with China on economic matters? Are the Asians, any Asian country breaking economic relations with China? Are the Latin Americans, any Latin American country breaking relations with China because of the issues that we have raised here that are of concern to all of us? Not a one. Not one country that is part of the WTO has said, ''We're going to treat China the way this resolution would have the U.S. treat China.''

How would we want to unilaterally try to do this and hope to accomplish anything, whether on human rights, on trade, on piracy, if we are not willing to sit down and talk to either friend, foe or otherwise? We must be there at the table to try to get from them something. Otherwise, they are going to treat us the way we would treat any other enemy, like someone they do not need to deal with.

What about all the jobs in places like Los Angeles? We must protect those as well. At the end of the day it is better for us to engage and treat these folks like people we would sit down with rather than as economic pariah.

I urge Members to vote against this resolution.

Mr. ROHRABACHER. Mr. Speaker, I yield myself 30 seconds.

I would like to remind the Members exactly what we are debating here. We are debating not whether or not we are ever going to talk to China again. We are not talking about cutting all relations or isolating China. We are talking about whether or not China should continue to have huge tariffs on our products while we let them flood their products into our country with low tariffs on their products while they keep our products out of their country with high tariffs.

We are also talking about whether or not our businesses that shut down factories here, whether those businessmen should be able to get taxpayer support, subsidies for their loans in setting up factories over there to use slave labor. Those are the issues we are talking about today.

Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, somewhere in America today, someone who served honorably in the American Armed Forces will be denied care at a Veterans' Administration hospital for lack of funds. Twelve thousand young soldiers, sailors, airmen and marines will continue to be eligible for food stamps because of lack of money. Military retirees who served our country honorably for 20 years will be told you can no longer go to the base hospital for lack of money.

Yet this Congress today will vote whether or not to give the Communist Chinese a $20 billion tax break so they can continue to enjoy a $60 billion trade surplus with our country which they will use to build the weapons, the technology of which they stole from us over the past decade.

That is what it is all about. No one wants to say it. This is a $20 billion tax break for the most repressive government on this earth. A ''yes'' vote says that, ''No, we're going to treat you the way you treat us and charge you what you charge us.'' A ''no'' vote is a $20 billion tax break for the Communists.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in opposition to this resolution and in support of free trade.

Mr. Speaker, the reason a country engages in free trade is not altruism—we do not encourage trade and low tariffs for the benefit of a trading partner. Even if the reciprocal country does not lower its tariffs we can still benefit.

Open and free trade with all nations, short of war, should be pursued for two specific reasons. One, it's a freedom issue; the right of the citizens of a free country to spend their money any way they see fit, anywhere in the world. And two, free trade provides the best deal for consumers allowing each to cast dollar votes with each purchase respecting quality and price. The foreign competition is a blessing in that it challenges domestic industries to do better. The Japanese car industry certainly resulted in American car manufacturers offering more competitive products.

In setting trade policy we must not assume that it is our job to solve any internal political problems of our trading partners any more than it is their responsibility to deal with our internal shortcomings.

Our biggest problem here in the Congress is that we seemingly never have a chance to vote for genuine free trade. The choice is almost always between managed-plus-subsidized trade or sanctions-plus-protectionism. Our careless use of language (most likely deliberate) is deceitful.

Genuine free trade would involve low tariffs and no subsidies. Export-Import Bank funding, OPIC, and trade development subsidies to our foreign competitors would never exist. Trading with China should be permissible, but aid should never occur either directly or through multilateral banking organizations such as the IMF or World Bank. A true free trade policy would exclude the management of trade by international agencies such as the WTO and NAFTA. Unfortunately, these agencies are used too frequently to officially place restrictions on countries or firms that sell products ''too cheaply''—a benefit to consumers but challenging to politically-favored domestic or established ''competitors.'' This is nothing more than worldwide managed trade (regulatory cartels) and will eventually lead to a trade war despite all the grandiose talk of free trade.

Trade policy should never be mixed with the issue of domestic political problems. Dictatorial governments trading with freer nations are more likely to respect civil liberties if they are trading with them. Also, it is true that nations that trade are less likely to go to war with one another.

If all trade subsidies are eliminated, there is less temptation on our part to impose conditions on others receiving our grants and loans.

Before we assume that we can improve the political liberties of foreign citizens, we must meet the responsibility of protecting all civil liberties of our own citizens irrespective of whether it is guaranteeing first and second amendment protections or guaranteeing the balance of power between the states and the federal government as required by the ninth and tenth amendments.

Every argument today for trading with China is an argument for removing all sanctions with all nations including Cuba, Libya, Iran and Iraq. None of these nations come close to being a threat to our national sovereignty. If trade with China is to help us commercially and help the cause of peace, so too would trade with all countries.

I look forward to the day that our trade debate may advance from the rhetoric of managed trade versus protectionism to that of true free trade, without subsidies or WTO-like management; or better yet, free trade with an internationally accepted monetary unit recognizing the fallacy of mismanaged fiat currencies.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Mr. Speaker, rejecting this resolution and renewing NTR with China will help to safeguard American security with respect to a potential adversary, will serve American economic interests, and will encourage policies that will allow individual liberty, the rule of law and thus respect for human rights ultimately to flourish in China.

On the security front, NTR and the expanded trade opportunities that it brings in nonmilitarily sensitive goods reduces the likelihood of military conflict between the United States and China. Countries with extensive trade relations are simply less likely to go to war with each other than countries without these ties.

Renewing NTR with China will benefit our economy by expanding U.S. export opportunities and by providing American consumers access to low-cost goods.

Finally, Mr. Speaker, renewing NTR with China will help the Chinese people to liberate themselves from the dictatorship under which they live. Chinese Communist leadership has embarked on, what is for them, a dangerous course. Unlike most other Communist dictatorships this century, Deng Xiaoping chose to open China to foreign investment, limited free enterprise and engagement with the West. His bet was that he could enjoy the economic benefits of capitalism without losing the Communist Party's monopoly on political control.

If we engage China, Deng's successors will lose that bet and the people of China will be the winners of freedom. Freedom is ultimately indivisible and once tasted, Mr. Speaker, it is irresistible. People who enjoy economic freedom will demand political freedom. People who read American newspapers will eventually demand their own free press. People who travel to the United States on business will see the incomparable superiority of freedom and in time demand it for themselves.

I urge a ''no'' vote on this resolution.

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

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

Mr. KUCINICH. Mr. Speaker, this is supposed to be about trade, but I also

think it might be about a form of genetic engineering. We are taking a gene of the global multinational corporation with its campaign to drive down wages and lower working conditions and knock out workers rights and we are genetically combining it with a totalitarian Communist government which uses slave labor, violates human rights, attacks religious liberties, tortures children, forces abortions and attacks people who simply want to survive, and the same government is involved in the manufacturing of weapons of mass destruction.

Now, this is genetic engineering and we are combining this and we call it normal trade relations. There is nothing normal about this combination. We are talking about creating a Frankenstein. We should go back to the laboratory and work with the living.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to comment generally on the overall policy that the United States has had with China over the years. I think it is important to note that this is not a Democratic issue or Republican issue. In fact, even in the good will and intentions of the Nixon administration in opening the door to China, we might have misstepped even there.

And so we come to this point where annually we go through a ritual of dealing with a country that seems not to listen. I am troubled in both our debate and what we are requested to do. And so I would like to just offer what I hope as the votes are taken today and as I reluctantly vote to provide the NTR with its continuation, that the American policy, both Republican and Democrats, both this administration and Congress, be focused on action items of what we should be doing.

First of all, I think that it is horrific, of the siege of the American embassy even after the terrible act of bombing of the Chinese embassy in the former Yugoslavia which we apologized, I think we should demand compensation for the U.S. embassy and its consul offices. I believe we should demand, of course, the relationship between Taiwan and China, actively engage in making sure that there is a fairness and an ability to negotiate and not to oppress. I think that we should ensure that there is no transshipment and no dumping along with some of the other issues of slave labor. We have been too meek and mild in our negotiations. And, yes, we did offer a resolution in the United Nations which failed, and I do compliment our administration for doing that, but we should do it over and over and over again. And then we have not been successful in the trade imbalance. What we need to do is to make as part of our key trade efforts, to emphasize small and medium-sized businesses.

The policies with China have been wrong for Democrats and Republicans. It is time for the United States to get some guts and gumption and to do something about it.

I rise today to express my serious concern regarding normal trade relations with China. Opponents of the resolution argue that while China continues to engage in many noxious practices, they believe that revoking normal trade relations is too drastic a step and would most likely prove to be counterproductive.

This year's annual vote on the trade status between the United States and China has drawn more than its usual amount of attention. This year has presented the U.S./Chinese relationship with many obstacles and hurdles to maintaining a normal dialogue between our two nations. We are all more than familiar with the issues in this relationship including:

The trade deficit with China which continues to widen. Second only to Japan, Chinese predatory trade practices have resulted in a trade deficit of an estimated $60 billion. This trade deficit is growing at a faster rate than that with any other major trading partners.

The unresolved status of Taiwan continues to go unresolved. The Chinese refusal to agree to renounce the use of force continues to alarm its Asian neighbors.

China's slow and often times stagnant pace of reform in the area of human rights. The Chinese seemingly have learned little from the Tiananmen Square massacre; ten years later they continue to hamper pro-democracy efforts and religious freedom.

Chinese efforts to stem the proliferation of nuclear-arms continue to proceed at a snail's pace. They continue to transfer advanced ballistic missile technology to Syria and Pakistan, provides nuclear and chemical weapons technology to Iran, and refuses to comply with the nuclear non-proliferation treaty.

In addition to these issues, the United States is still reviewing the ramifications of the Cox Report. We are also still struggling to come to an understanding of the Chinese government's reaction to the mistaken bombing of the China's embassy. The tragic bombing was clearly a mistake and the administration apologized for this mistake but despite these efforts the Chinese government allowed a violent protest to go unchecked and threaten the lives of our embassy personnel.

Opponents of this legislation have stated that the argument over normal trade status is not just about what kind of country China is—it is about what kind of nation we are. I agree with this statement because I believe that we are not a nation who quits in the middle of the race. Our relationship with China is not a sprint but rather a marathon race. A relationship begun in earnest during the Nixon administration, China has continually opened itself largely due to the insistence of the United States.

The stakes in this year's Normal Trade Relations debate are higher than ever. The United States and China are on the verge of a major trade agreement regarding the terms for Chinese accession to the World Trade Organization. Such a breakthrough would open China's markets to American products, companies, workers, and farmers and bring China under global trade rules and enforcement procedures. A strong show of House support for Normal Trade Relations is important to our efforts to complete a World Trade Organization. The China market is particularly important for American agriculture, which is experiencing a serious economic downturn because of declining U.S. exports to Asia.

Removing Normal Trade Relations would almost certainly remove all hope of reducing the widening gulf between our two nations and building a lasting bridge of communication. In simple dollar and sense terms it will cost Americans both exports and jobs. United States exports to China have tripled over the last decade and supports over 170,000 American jobs.

America's relationship with China will go through many ups-and-downs, just like our relations with every other nation. Difficult issues may require the strong assertion of U.S. interests. But it is vital that the fundamental elements of stable U.S.-China relations remain intact. Revoking Normal Trade Relations or enacting anti-China legislation is not a solution and would threaten America's vital stake in cooperation with China on proliferation, security, and trade. However, the United States must be firm in its relationship with China on its Human Rights abuses compensation for the trashing of the U.S. Embassy in China after the accidental bombing of the Chinese embassy during the Kosovo conflict, the continuing trade imbalance that must end, the dumping of Chinese goods in other countries to avoid U.S. import laws and many other concerns. I reluctantly vote no on this resolution.

□ 1345

Mr. ROHRABACHER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. DOYLE), a friend of the steelworkers, a man who has sometimes disagreed with me, but always in a very pleasant way, but one who shares our basic values and concern for the working people of our country and his district.

Mr. DOYLE. Mr. Speaker, I got here in 1995 and I certainly was no expert in trade matters. So I was persuaded by the proponents of normal trade relations that engaging China would be the way that we could help lower this trade deficit we had, and engaging China was the only way to help China grow and lessen these human rights abuses, and I voted for Most Favored Nation status for China in 1995, and I waited a year, and it got worse. And in 1996 we heard the same arguments over again, engagement was the only way to lower the deficit and improve human rights. And I voted for it again, Mr. Speaker, and it got worse, and the same the following year, and the same last year.

When I got here in 1995, the trade deficit with China was $33 billion. Today it is projected to be $67 billion.

I have heard a speaker say that there is no argument about the facts here, only about what the end result is going to be. Well, Mr. Speaker, the facts are this: our engaging China and Most Favored Nation status has not worked.

It is time to try a different approach.

This year I intend to vote with the gentleman from California (Mr. ROHRABACHER).

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. NUSSLE), our colleague on the Committee on Ways and Means.

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

Mr. NUSSLE. Mr. Speaker, I rise in opposition to the resolution, in support of normal trade relations.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Speaker, as chairman of the Subcommittee on Asia and the Pacific and a member of the Cox Committee, I rise in opposition to the resolution. I strongly support the continuation of NTR status for China because it is clearly both in America's short-term and long-term national interests. Continuing NTR is not about granting a favor or a preference to China; it is about acting in our own national interest. That is what this debate is all about. Rather than ranting and raving about problems in human rights and democratic freedoms, I prefer to focus realistically on doing something about them. This is not the right forum for addressing those issues.

Mr. Speaker, ever since President Nixon traveled to China, U.S. policy has sought to promote a stable and peaceful Asia where America's trade interests could be advanced without sacrificing security. Successive administrations have made expansion of trade relations and economic liberalization key tenets of our China policy. The goal is not only to expand U.S. trade, but also to provide a means of giving China a stake in a peaceful, stable, economically dynamic Asian Pacific region and pulling that country into an international community.

Overall, this responsible approach has been successful despite the increasingly problematic nature of Sino-American relations. It has protected not only our own national interests, but also those of our friends and allies.

The U.S. has convinced nearly every other country in the region that the best way to avoid conflict is to engage each other in trade and close economic ties. Abandoning this basic tenant of our foreign policy with respect to China would be a serious shock and would be an extraordinary setback for much of what our Nation has been trying to achieve in the entire Asian Pacific region. Mr. Speaker, it would send many countries scrambling to choose between China and the United States.

Finally, remember that it is certainly premature to view China as an enemy or an adversary, although we can make it our adversary if we adopt a policy of trying to isolate and ostracize China.

There is perhaps no more important set of related foreign policy issues for the 21st century than the challenges and opportunities posed by the emergence of a powerful and fast-growing China. However, today we are not having a debate focused on those important challenges. Instead, we are debating whether to impose 1930s Great Depression-era Smoot-Hawley trade tariffs on China that the rest of the world and China know for our own American interests we realistically will never impose.

This particular annual debate has become highly counterproductive; it is very damaging to Sino-American relations with almost no positive results in China or in our relationship with that country and its people. It unnecessarily wastes our precious foreign policy leverage and seriously damages our Government's credibility with the leadership of China and with our allies. It hinders our ability to coax the Chinese into the international system of world trade rules, non-proliferation norms, and human rights standards. Moreover, Beijing knows the United States cannot deny NTR without severely harming American workers, farmers, consumers or businesses, or do it without devastating the economies of Hong Kong and Taiwan.

It is true as NTR opponents argue, that ending normal trade relations with China would deliver a very serious blow to the Chinese economy, but the draconian action of raising the average weighted tariff on Chinese imports to 44 percent harm the United States economy as well. China is already the 13th largest market abroad for American goods and the 4th largest market for American agricultural exports. If NTR is denied to China, Beijing will certainly retaliate against the over $14 billion in U.S. exports to China. As a result, many of the approximately 200,000 high-paying export jobs related to United States-China trade would disappear while the European Union, Canada, Japan, Australia, Brazil, and other major trading nations would rush to fill the void.

Maintaining NTR is crucial to being able to re-engage in negotiations with China on its accession to the World Trade Organization (WTO), negotiations which could result in a much greater opening of China's markets to U.S. agricultural, industrial and service exports. As the pending agreement is export-oriented, it is the American worker, farmer and businessman who benefit from increased sales to China. The agreement would also institute important reforms that reduce the competitive coercion on American businesses to transfer their industrial technology to China or for China to require manufacturing offsets to transfer jobs from the United States to China.

Just focusing specifically on agriculture for a minute, it is certainly worth remembering that the American Farm Bureau has called China ''the most important growth market for U.S. agriculture in the 21st century.'' The U.S. Department of Agriculture estimates that, over the next decade, 75 percent of the growth in American farm exports will be to Asia, of which half will come from increased U.S. exports to China. In the China WTO accession negotiations and have been halted but which the Administration quite rightly wants to resume having mistakenly rejected a commercially viable package during Premier Zhu's visit last April, it is China that is making all of the concessions. The United States is not giving up anything. In manufactured goods and service exports, the news was almost all incredibly good. In agriculture, for example, the pork, beef, soybean, corn and wheat markets in China that are essentially closed to American exports today would be opened significantly with tariffs dropping from over 40 percent today down to 12 percent or lower. Indeed, the National Pork Producers Council has called this deal a ''grand slam home run.''

Revoking the extension of NTR for China would have the effect of scuttling these stalled negotiations during what we hope will be their final phase and jeopardizing the substantial benefits to American exports and jobs a new trade agreement and China's accession to the WTO promise. Revoking NTR would turn our grand slam home run into a dismal strike-out. Rejecting NTR status for China is self-evidently neither in our short term nor our long term national interest.

Some have advocated the revocation of NTR status for China in order to punish Beijing for its espionage operations against the United States. As one of the nine members of the bipartisan Cox Select Committee (Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China) which investigated and reported on Chinese espionage, and as a former counter-intelligence officer in our military, this Member adamantly rejects such linkage. The United States has been and will continue to be the target of foreign, including Chinese, espionage. We should have expected China to spy on us, just as we should know that others, including our allies, spy on us. While our outrage at China for spying is understandable, that anger and energy ought to be directed on correcting the severe and inexcusable problems in our own government. Our losses are ultimately the result of our own government's lax security, indifference, naivete and incompetence, especially in our Department of Energy weapons laboratories, the National Security Council and the Federal Bureau of Investigation. The scope and quality of our own counter-intelligence operations, especially those associated with the Department of Energy's weapons labs, are completely unrelated to whether or not a country like China has NTR status. Indeed, revoking NTR status for China does absolutely nothing to improve the security of our weapons labs or protect militarily sensitive technologies. However, this feel-good symbolic act of punishment would inflict severe harm on American business and the 200,000 American jobs that exports to China provide. It makes no sense to punish American farmers and workers for the gross security lapses by our own government of which the Chinese—and undoubtedly other nations—took advantage.

We should first remember to do no harm to our own Nation and America's citizens. Therefore, Mr. Speaker, this Member is strongly opposed to House Joint Resolution 57 and urgently urges its rejection.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, we currently have a $67 billion trade deficit with China which equates to the loss of 1 million jobs. It also is lowering real wages for American workers. Should the working people of this country be forced to compete against desperate people who are paid 20 or 30 cents an hour? Should we continue a policy where corporate America throws American workers out on the street and runs to China and hires those people? I think not.

Let us support this sensible resolution. Let us end the policy which just does not work.

Mr. Speaker, I rise in strong support of this resolution.

I am not anti-Chinese.

I am not a xenophobe.

I do not want another cold war with China, and I want to see our country do everything it can to establish warm and positive relations with China.

I support this resolution because our current trade policy with China is a disaster. We currently have a $67 billion trade deficit with China, in a year in which we are experiencing a record breaking $224 billion overall trade deficit. Economists tell us that for every one billion dollars we have in a trade deficit we lose 17,000 jobs—many of them decent paying manufacturing jobs. That means that our trade deficit with China is costing us approximately 1,139,000 jobs.

Mr. Speaker, I am very concerned that, over the last 20 years, many of the largest corporations in America have invested tens of billions of dollars in China in the search for very cheap labor. They are not investing in Vermont, New York or Mississippi. They are not hiring young American workers. They are not re-building our manufacturing base. Instead, they are hiring desperate workers in China at 20 or 30 cents an hour to produce products which are then sold in the United States and elsewhere—products not meant for the Chinese market but for the world market.

The result of this whole trend is that corporate profits soar, the average American worker today is earning 12% less in inflation accounted for weekly earnings compared to 1973. In terms of hourly wages, in 1973 the average American worker earned $13.61. Today, in the midst of this so-called booming economy, that worker is earning $12.77 an hour—6% less than in 1973. I should also add that that American worker is now working 160 hours a year more than was the case 20 years ago in order to make up for the drop in his or her real wages.

Mr. Speaker, we must stop the race to the bottom. I want to see the people in China and all developing countries improve their standard of living, but we must help that happen in a way that does not hurt American workers. We must not continue to play American workers off against Chinese workers. American workers should not have to compete against the workers in China who are paid extremely low wages, who cannot form unions, who cannot even elect their political leaders.

In fairness to the working people of this country, we must not continue MFN with China.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentleman from Illinois (Mr. LIPINSKI).

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

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support of H.J. 57, a resolution to disapprove normal trade relations with the People's Republic of China.

It is clear to see that our trade deficit with China has skyrocketed over the years, and hundreds of thousands of good paying American jobs have been exported. In 1993 we had a $22 billion trade deficit with China. Last year the deficit was $60 billion. Thanks to this administration's misguided trade policies, we have traded away good paying American jobs.

Mr. Speaker, over the years we have been bending over backwards for Beijing. I ask the question: Why?

Mr. Speaker, I rise today in strong support of H. J. Res. 57, a resolution to disapprove normal trade relations with the People's Republic of China.

It's clear to see that our trade deficit with China has skyrocketed over the years, and hundreds of thousands of good paying American jobs have been exported. In 1993, we had a $22 billion trade deficit with China. Last year, the deficit was $60 billion. Thanks to the Administration's misguided trade policies, we've traded away good paying American jobs.

Mr. Speaker, over the years, we've been bending over backwards for Beijing.

Why?

They need us more than we need them. They need the American market. We have one of the strongest and wealthiest consumer markets in the world. They sell billions of dollars of their products in our market. They need us. They need America. But while they insist we open up more of our markets, they've steadfastly refused to open up theirs.

Then why should we give NTR to China? Supporters argue that by staying engaged with China is the only way we can improve their behavior. But I would ask those supporters, in the last twenty years, have we seen any improvements?

Has China improved their human rights record? No. They're still considered one of the most egregious offenders in the world. They prosecute Christians, throw pro-democracy activists in labor camps and gulags, and promote forced abortions and sterilization.

Has China improved their unfair trade practices? No. They continue to keep out American products by imposing high trade barriers. They dump our shores with their cheap products, but won't allow us to fairly sell American goods in their market. Democratic Taiwan, a little island of only 23 million people, buys more American products than all of Communist China, a huge land mass of over 1.2 billion consumers.

Has China been our friend in the international arena? No. They send spies over to steal our nuclear technology. They continue to threaten their democratic neighbors in the Pacific region. They recently renewed threats to keep Taiwan from declaring itself an independent state. They refuse to join international efforts to control nuclear proliferation. They continue to sell advanced missile technology to rogue nations.

We've given China opportunity after opportunity to show their friendship. We've offered our hand in friendship, but they've refused to take it. They continue to confront us as enemies.

A recent article in The People's Daily, a Communist controlled newspaper in China, the U.S. was likened to Nazi Germany. Is that the action of a friend?

Mr. Speaker, extending NTR to China is not in line with our strategic interests, and it is not in line with American ideals. I urge all of my colleagues to vote for this resolution and against NTR for China.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I rise in strong opposition to the Rohrabacher amendment, and listening to the arguments that have been made today that suggest we discontinue normal trade relations with China, one of the points that is being made is that we need to send a message to China that we disapprove particularly of some of the reprehensible behavior that appeared to have occurred recently with their government.

I agree we need to send a message to China. They certainly should not be engaged in conduct that is contrary to the very values which we stand for and practice every day. But I strongly disagree that this is the proper means by which to send a message.

This is not just a sense of Congress, this is not just a message. This is a complete collapse of our trade relationship with China.

Listen to what some of the missionaries have said who serve in that country and care very deeply about many of the human rights issues that we have discussed here on the floor of the House today. They have argued for constructive engagement to continue in China.

Let us not set off another trade war just to send a message. The United States trade representative has estimated that it could cost consumers as much as half a billion dollars in increased prices for shoes, clothing, and small appliances if we were to end this trade relationship entirely and set off a trade war.

Now the question has been raised today by a number of very eloquent speakers, what has changed since we have allowed normal trade relations to continue over the years? Where have we seen progress? Well, what is about to change is that we hopefully will have a debate on the floor of the House in just a few months about whether China enters the World Trade Organization, and this will be an incredibly fundamental debate. It will be an opportunity for us to engage China on a broader scale than ever before in an attempt to expose them to our values and to expose them to more people from our country.

A number of us met with the premier of China just a few months ago, and many of us told him that, as we begin to trade more with this country, we invariably will expect more from that country as we expose them to our values, as we exchange more citizens on a regular basis. We believe democracy will be contagious, we believe our values will be contagious because we think that we stand for many universal truths. That is when constructive engagement really begins to have a dramatic and long term impact, when we begin the debate on WTO accession, and we talk as a Congress about how we are going to use that to really have truly long-term improvement in the lives of the citizens of China regardless

of what their government chooses to do and the progress the government chooses to make.

So today let us send the appropriate message which is this is not an endorsement of policies that China is engaged in that we strongly disagree with, but it is a clear recognition once again that a trade war is not in our Nation's best interests and that we should defeat this motion today.

Mr. ROHRABACHER. Mr. Speaker, I reserve the balance of my time for the moment.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise in support of normal trade relations with China and in opposition to this resolution of disapproval. I have grave concerns about the Chinese Government. Their policy and practice include religious persecution, stealing our national secrets, unfair trade practices, and military intimidation of their neighbors.

Let us be clear. The Chinese government is no friend of the United States or democracy. However, I would subscribe to Ronald Reagan's philosophy on dealing with potential adversaries: contain them militarily, engage them diplomatically, and flood them with Western goods and influence.

Sadly, the Clinton-Gore administration has failed on the military front, is suspect on the diplomatic front; yet on the trade front where Congress has a say, we should not fail. Maintaining normal trading relations is important to the Chinese people, but it is also important to California farmers. These hard-working farmers support 1.4 million jobs in California, have led the Nation in production since 1948. California's agricultural exports to China have risen nearly 50 percent since 1993 and now total over $2.4 billion annually.

With all these exports to China, California sent an equal amount of American ideals, moral values, and capitalism.

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

Ms. PELOSI. Mr. Speaker, I wanted to just take a moment to respond to some comments I have heard here today.

First, we are here to complain about a policy that does not work. To those who say that the trade will lead to human rights, this trickle-down notion, this trickle-down liberty notion has not worked. So we do not want to start a trade war with China. I am going to tell my colleagues why that is not going to happen.

First of all, though I want to recognize once again that the name has been changed from Most Favored Nation status to Normal Trade Relations, and that the name was not changed to protect the innocent. The human rights violations continue. As we speak, the regime that we want to hand $67 billion to is rounding up people for their freedom of expression in China.

On the trade issue, here is the item: $71 billion. So if we threaten to revoke MFN or NTR, whatever colleagues want to call it, the Chinese are not going to walk away. Where are they going to sell 71 billion dollars' worth of goods? They cannot. The same threat that the administration used on intellectual property violations should apply here. So they are not going any place with 72 billion dollars' worth of goods.

I urge my colleagues to vote aye on the resolution.

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

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

PARLIAMENTARY INQUIRY

Mr. ROHRABACHER. Mr. Speaker, parliamentary inquiry?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman will state his parliamentary inquiry.

Mr. ROHRABACHER. Mr. Speaker, I would like to ask a question of the Chair.

Is there some notion or plan for a quorum call? So we just finish this debate in the next few minutes, and there will be no quorum call?

The SPEAKER pro tempore. No.

Mr. ROHRABACHER. Then I reserve the balance of my time.

The SPEAKER pro tempore. At this point a point of no quorum is not in order. The debate will proceed until closing when Members are recognized for closing statements. Members will be recognized in reverse order of opening. First, the gentleman from California (Mr. ROHRABACHER); secondly, the gentleman from Michigan (Mr. LEVIN); third, the gentleman from California (Mr. STARK); and, fourth, the gentleman from Illinois (Mr. CRANE).

□ 1400

Mr. CRANE. Mr. Speaker, I yield 2½ minutes to our distinguished colleague, the gentleman from Arizona (Mr. KOLBE).

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

Mr. Speaker, here we go again. It is just like clock work. As spring turns into summer and the throngs of tourists begin their dissent on the Nation's Capital once again, we come to the House floor for what has become an almost ritualistic debate about trade relations with China. Once again, we find ourselves driven to view our trade relations with 1.3 billion people through the narrow prism of a decades-old statute that was not even designed to fit this situation. Mr. Speaker, it is time for us to end this kind of debate. If we are ever to develop a truly coherent and a comprehensive policy towards this nation, the largest on the face of this planet, we have to break free from this debate.

Our relationship with China is complex, and it is increasingly important. There are a myriad of issues that are intertwined in this relationship: nuclear proliferation, regional security, the bilateral trade balance, intellectual property protection, religious freedom, the future of Taiwan, Tibet and Hong Kong, and political and economic freedom for the people of China. How can we possibly deal with these complex issues through an annual congressional debate that asks a single question: Should we conduct commercial relations with China on the same basis that we do with other countries?

Mr. Speaker, I call upon my colleagues to take a step forward with me today. Vote down this resolution of disapproval and join in forging a truly comprehensive policy towards the People's Republic of China.

I believe to my very core that the most important thing we can do for human rights in China is to help bring a rules-based system of trading to that country, and the only certain way we can do this is to get China into the World Trade Organization. We must help those who are reformers in China to help themselves. We must continue to work to bring the rule of law to China. We must strengthen our relationship with our allies by maintaining a strong military presence in that region, and we must be clear and consistent in our message to the Chinese government.

But one thing is clear. This annual debate over whether we will continue our political and economic relations with China is never constructive. It hampers our ability to formulate a comprehensive and effective policy toward the region, and I believe it is time for it to end.

Mr. Speaker, I urge a renewal of Normal Trade Relations. History has shown economic growth to be an effective catalyst for political change. The principles of individual liberty and a freedom embodied in economic liberalization will prevail, but only if we have the political courage to make the right choice to let them flourish, and that means renewing Normal Trade Relations with China.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, last year legislation overhauling the Internal Revenue Service included a provision changing the term Most Favored Nation trading status to Normal Trade Relations. Apparently, supporters of MFN for China decided that changing the name would make this debate go away. The debate is the same. Only the names have been changed in order to protect the guilty.

And make no mistake about it, the People's Republic of China is guilty. They are guilty of stealing American nuclear weapons secrets. They are guilty of proliferating weapons of mass destruction around the world. They are guilty of gross violations of human rights. They are guilty of a wide array of unfair trade practices. China has already been convicted in the court of

public opinion. The question is, what is this Congress going to do in response to China's reckless behavior? Are we going to extend Normal Trade Relations for another year, or are we going to stop business as usual until China reforms its ways?

Let us look at Beijing's proliferation rap sheet. They refuse to join international efforts to stem proliferation of nuclear arms, continue to transfer advanced ballistic missile technology to Syria and to Pakistan; and they provide nuclear and chemical weapons technology to Iran, and they refuse to comply with the nuclear nonproliferation treaty. The Central Intelligence Agency has reported in February of this year that China remains a key supplier of technology inconsistent with nonproliferation goals.

Mr. Speaker, the only thing that will really make them reexamine this behavior is if this Congress actually denies them Most Favored Nation, Normal Trade Relations. Let us not forget that we already have a $60 billion trade deficit with them. Only Japan exceeds it, and that will not last for long. They continue to engage in proliferation activities; they continue to engage in human rights violations.

Mr. Speaker, I urge a ''yes'' vote on this disapproval motion.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, in an imperfect world, we do not have the choice of dealing with perfect nations. Certainly, China is far from perfect as a nation, as are we, and I must admit I am especially bothered by recent detentions in China, and I hope the Chinese know that this Congress is sensitive to those detentions.

But we have a choice today. It is engagement, or it is isolation. Let us see how that has worked in other circumstances. We chose isolation in the case of our dealings with Cuba. What has happened? Thirty-eight years later Castro is in power. Let us choose engagement and look at that and its track record. We chose to engage the former Soviet Union. Today, they are a democratic nation, struggling with an economy, albeit, but a democratic nation.

The choice today is not dealing with perfect nations; it is a choice between isolation and engagement. I would suggest that the policy of engagement with China, as important of a nation as it is, makes sense for America and the world in the 21st century.

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent to yield 2 minutes to the gentleman from California (Mr. STARK) to be used for yielding on his side.

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

There was no objection.

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. GANSKE).

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

Mr. GANSKE. Mr. Speaker, I rise in support of the joint resolution and in opposition to the extension of MFN to China.

Mr. Speaker, I rise in support of this resolution and in opposition to the extension of normal trade relations with China.

Our agricultural economy is in a desperate situation and we need to move to improve access to international markets. But China has had years to prove that it is a viable market for American agricultural products and has failed to do so.

Despite years of engagement and normal trade relations, our trade with China has been going backwards and we still face severe roadblocks in agricultural goods.

Let's review some of the supposed benefits the United States has realized from normal trade relations:

- Our overall trade deficit had increased from $6.2 billion in 1989 to $56.9 billion in 1998.
- The average Chinese tariff on agricultural imports is 40%.
- Some agricultural commodities are assessed tariffs greater than 100%.
- Agricultural exports to China have actually decreased by nearly $100 million since 1989.

Such a deal! I am sure those that claim trade benefits from this relationship have some ''lake front'' property in the Gobi desert for us too.

I believe we must increase our access to international markets for a variety of agricultural commodities, especially meat like pork.

Like many of my colleagues and my constituents, I am concerned about the future of America's pork industry. China is a huge potential market—there are more than one billion people in China and they consume vast quantities of pork.

Well, let's take a look at how this market has treated the American pork industry under normal trade relations:

Chinese pork production in 1997 was 42.5 million metric tons compared to the 7.8 metric tons produced in the U.S. How can we expect to increase our pork exports to this market that produces 6 times the amount of pork we do when there are agricultural barriers in place?

U.S. pork exports to China in 1997 totaled only 150,000 metric tons—less than 2% of our domestic production.

Overall pork and swine exports to China in 1998 amounted to only $6.5 million dollars.

Some point to recent reductions in agricultural tariffs on certain products as an indication of Chinese capitulation. Yet, they fail to note that China continues to implement several non-tariff trade barriers.

The U.S. Trade Representative reported this year that China still conducts import substitution. In other words, the Chinese government can and does deny permission to import foreign products when a domestic alternative exists, or, given their closed society, whenever they want.

Look at the numbers I just cited: China produces a lot of pork. NTR will not alter this competitive structure.

Normal trade relations have not altered these protectionist policies and will not promote changes in the future.

Years of normal trade relations have not resulted in a significant reduction in trade restrictions. Normal trade with China has not resulted in a better trade relationship.

Instead, China has sold us a bill of goods in which realization of potential markets remains perpetually around the corner.

The result has been an increase in our trade deficit with a Communist regime.

Let's think about that. We can argue the benefits and detriments of trade with China all day. But we also need to consider that this Communist government spied on American nuclear facilities.

They stole vital American nuclear secrets. They have the capability to strike American soil with nuclear weapons!

How can we reward such actions with Most Favored Nation trading status. That's right—we may have changed its name, but the impact is the same—Most Favored Nation.

What kind of message do we want to send to the international community? We can send one of two messages:

''Steal from us, threaten your neighbors and violate your people's basic human rights and you will reap the benefits of American capitalism.''

Or, ''Play by rules, respect the security of your neighbors and preserve the rights of your people, or feel the consequences of your actions.''

Let's send the right message. That America will not be violated or manipulated.

I urge my colleagues to vote against rewarding this country with preferential trade status and vote for House Joint Resolution 57.

Mr. ROHRABACHER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. COX), the distinguished chairman of the Cox Commission, a bipartisan select committee that was set up to investigate certain national security challenges that we face with Communist China.

Mr. COX. Mr. Speaker, we are here today to debate the President's waiver of the Jackson-Vanik law, which, by its terms, requires that in order to get low tariff treatment, the People's Republic of China must have fair immigration policies. Yet, having listened to the debate, I have not heard the substance of Jackson-Vanik come up at all; neither the supporters nor the opponents of this resolution have even mentioned the PRC's immigration policies. Instead, this debate has been cast by the opponents of the resolution as a debate about free trade, and by the supporters of the resolution as a debate about political, economic, religious, civil and other human rights concerns in the People's Republic of China.

If this resolution really were about free trade, if this debate were really about free trade, then I would vote in support of free trade, because it is in America's interests and it is in the interests of all of our trading partners. It is at least arguable that human rights violations are a separate issue from the question of tariff rates on beanie babies being imported into the United States.

Yet, sadly, in order to assure the defeat of this resolution, its opponents are whitewashing the government's record, making extravagant, that is to

say the People's Republic of China's record, making extravagant claims about the progress of democracy in China; there is none, or the liberal limbs of certain of China's Communist rulers. That certainly requires a double standard. Or the more favorable economic standards that some Chinese find themselves in now as compared to, say, the time of the cultural revolution. That is a fact, but it is also a fact that the Communist portion of China has an economic product per person that is less than Guatemala's, while the democratic government and people and society in Taiwan buy far more from the United States than all of the PRC and have one of the highest standards of living in the world.

Whitewashing human rights abuses in the PRC, which is what this debate has come to symbolize is not in our Nation's interests, nor in the interests of the people of China. It is for this reason, especially on a vote that is largely symbolic, because the President has already granted this waiver and everyone knows that there will not be a two-thirds vote in the Senate or the House or both to override, so especially on a symbolic vote, I cannot join with the opponents.

The PRC really does deny freedom of speech; the PRC really does deny freedom of thought. The Communist government really does persecute religious groups that it cannot control, and it really has jailed millions of people, prisoners of conscience, in the notorious laogai slave labor camps that Harry Wu has so courageously documented.

Last year, President Clinton signed a law passed by this Congress that required the Secretary of Defense to send us a list of People's Liberation Army-controlled companies operating in the United States. The administration is in violation of that law; they have been for half a year. What that means is that the extension of Normal Trade Relations to the People's Republic of China is also an extension of normal trade relations to the People's Liberation Army. I know of no responsible U.S. corporation that wishes this.

This debate and this vote is not about tariff rates. It is about sending a signal to Beijing. I cannot rubber stamp the Clinton policy towards China, and I am heartened that a big number of Republicans and Democrats today will not do so either.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, this is not a lot of time to debate such a sensitive issue, but I will say this. After having served a mission from my church among the Chinese people, after having learned about their language and their culture and communicating one on one with these people for 2 years in my youthful life, I learned a lot of things, I thought, not only about their society, but about our society. I have learned one thing painfully clear in my life, and that is you never improve any relationship by walking away from it. Right now I think this relationship is at an all-time low and I think both sides have some culpability in that situation.

But I will say this: the last speaker was right on. There are human rights violations, there are problems with Taiwan, there are nuclear nonproliferation problems. But I will say this as well: when it comes to the espionage issue, I do not fault China nearly as much as I do this administration for falling asleep at the switch. Let us not try to penalize China what we should take out on this administration for not doing its job. Let us not close the door on a lot of people who would like to be able to open up their doors to Christianity, and they would not get that opportunity, I believe, if we revoke MFN. Please, let us vote against this measure.

Mr. STARK. Mr. Speaker, might I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from California (Mr. STARK) has 11 minutes remaining; the gentleman from California (Mr. ROHRABACHER) has 2 minutes remaining; the gentleman from Illinois (Mr. CRANE) has 5½ minutes remaining; and the gentleman from Michigan (Mr. LEVIN) has 6½ remaining.

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

Mr. KASICH. Mr. Speaker, I think that it is important that we recognize that in a community of nations, there are going to be differences between nations. And in fact, the differences between our Nation and China represents a fundamental difference in the political system where we honor representative government; in the economic system, where we recognize the value of capitalism and free markets; and in the value system that underpins our society where we recognize the fact that we answer at the end of the day to a higher being. Frankly, the Chinese reject all of that. They do not share our political objectives; they do not share our political system; they do not share our economic system; and they do not share our value system.

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Does that mean we should totally isolate them and walk away? The answer is no. But in the course of relations, there are times when we will get along better than when we will not get along.

But the problem has been that the Chinese continue to engage in proliferation, including recent reports that involve proliferation of sensitive technology to the North Koreans, of all nations of the world, that perhaps provides for us the most complicated set of problems. Yet, the Chinese have proliferated to the North Koreans, in addition to other nations in the world.

Secondly, they have stolen our secrets. And to blame us for the fact that they stole our secrets I think is really the wrong way to pinpoint the problem. The fact is that nations should not be engaging in stealing of secrets, which violates fundamental values.

Thirdly, they have engaged in constant abuse of human rights.

Finally, their recent relationship and difficulties with Taiwan.

This all underscores the fact that because they do not share our political system, our economic system, or our value system, now is not the time to reward them. This is a down time between U.S. and China.

Does it mean it is the end of the road? Of course not, because they live on the same street where we live. But just like when we have a neighbor that breaks the fundamental rules of the neighborhood, it is necessary for Nations to punish other countries that do not share their values, and break the fundamental rules and values that have been established in the neighborhood.

Accept this resolution. It will do this country well, and it will send an important message to the entire world.

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise in strong opposition to this resolution. I have listened to some of my colleagues today who want to revoke normal trade relations status for China. I, too, am deeply concerned that top nuclear secrets were stolen from U.S. nuclear labs, but I blame the United States more than I blame China. In my judgment the Clinton administration failed to understand the fundamental difference between promoting a strong business relationship with China and maintaining a strong strategic military advantage with that Nation.

The distinguished Cox Report counsels changes in our counterintelligence and military security, but it does not call into question our business relationship with China. I continue to support maintaining normal trade relations with China, not favored, but normal relations.

We should not give up on trade relations between our two countries. A nation cannot have a prosperous free market economy without educating its citizens. The more educated a country's citizens become, the more they will demand an open society and freedom. Only through economic and social engagement will this transformation truly take place making, China, the United States, and the world a better place.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. UNDERWOOD. Mr. Speaker, I rise in opposition to House Joint Resolution 57, which would revoke normal trade relations with the People's Republic of China. I fully recognize the emotional content of the debate today.

Some have characterized this as a debate about whether China has violated human rights and whether China has much of a defensible record on religious freedom, or whether they have much of a progressive record towards democracy. But I readily concede, and I think most people who stand in opposition to the resolution readily concede that China does not have a sterling record on any of these items. In fact, it has an abysmal record.

But this is really a debate as to whether the denial of normal trade relations will have much of an effect on any of these matters. Closing the door to the PRC, and in de facto punishing it with high tariffs, is not the answer to alleviating human rights conditions there or preventing espionage in the future. This is just simply too simplistic.

The United States is already tied to the rest of the globe in a sophisticated and integrated tapestry of economic, political, and social coexistence. We need to maintain our policy of engagement with China.

Mr. Speaker, I rise in opposition to H.J. Res. 57, which would revoke Normal Trade Relations (NTR) with the People's Republic of China (PRC).

Closing the door to the PRC and de facto punishing it with high tariffs is not the answer to alleviating human rights conditions there or preventing espionage in the form of stealing nuclear secrets This so-called solution is too simplistic a plan. The fact is the United States is already tied to the rest of the globe in a sophisticated and integrated tapestry of economic, political and social co-existence. This punitive act will only serve to harm our interests in global commerce and leadership. What evidence do we have that suspension of NTR would lead to a conciliatory PRC ready to bend at the will of American morality and ethics? None. On the other hand, free traders and many observers will attest that NTR suspension will backfire on the United States guaranteed. A minimum of 400,000 American jobs, which depend on exports to the PRC and Hong Kong, will be threatened. In addition, Asia's recovery from the Asian financial crisis will stall and further hurt American businesses and workers. Our economic competitors would be more than eager to supplant the United State's position as one of the PRC's largest trading partners. It takes little genius to realize that the phenomenon that has protected the United States from the Asian crisis has been our aggregate consumption. This measure would be sure to stymie this indeed.

The political ramifications of suspending NTR with the PRC are clearly negative. There is the very real threat of hard-line PRC leaders coming to the fore as feelings of American attempts to ostensibly contain the PRC are heightened. In addition, our ASEAN and Asian allies fear that political instability in the PRC will mean instability in the Asia-Pacific region. Americans living in the continental United States may feel insulated from the turmoil in the Asia-Pacific, but for the Americans living in the area, such as the residents of Guam, this threat of tumult, whether economic or political, is very real. While the rest of America rode on an economic high during the height of the Asian financial crisis, Guam experienced an economic depression which has catapulted our unemployment level to 14% today.

I am fully in support of improving the lives of PRC citizens, which includes greater democracy, respect for human rights, and regional stability, but suspending NTR is not the way to do it. Engaging the PRC is the answer. I urge my colleagues to oppose H.J. Res. 57 in the interests of all Americans.

Mr. STARK. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I thank the gentleman from California for yielding time to me.

Mr. Speaker, as the first Chinese American to serve in this House, as a high technology and international trade attorney, I have a special responsibility in this debate. I thank my colleagues for the honor of speaking now.

This debate is not about engagement, because we all believe in engagement; but not just business engagement, because the business of America must be more than just business, and engagement must be through more than just the cash register. This debate is about how we view the Chinese people and about how we view ourselves.

Cash register engagement views the Chinese people as just workers and consumers, 2 billion strong arms to do our work, 2 billion legs to wear American jeans. Full engagement recognizes that Chinese people are people like us, people with hopes and aspirations, aspirations to walk the path of freedom that we have blazed.

That, Mr. Speaker, is what this debate is really about. It is about who we are as a free people, what are our values, what does this Congress stand for; our integrity as individuals. Can we live up to the legacy of our forebears, those in this Congress who swore themselves to liberty, and in so doing, pledged their lives, their fortunes, and their sacred honor?

In this debate, in this debate I would like to address three groups.

First, to the Chinese people, so rich in culture and history and heritage, I encourage them to strive not just for prosperity but for freedom, also, because if they achieve prosperity, their children will thank them. But if they achieve both prosperity and liberty, their children will view them the way that I view my parents, as ordinary people who rose to extraordinary challenges. And in rising to these great challenges, they became giants of their era. Just as I measure each day what I achieve against what my parents achieved in their era, their children will measure themselves against the legacy of freedom and prosperity that they can leave them. Rise to the challenge of history.

To the people of Oregon, those who have honored me back home with the greatest honor that an immigrant boy who came to this country not being able to speak English could ever hope to have, to represent them in this Congress, I know that we have a trade-dependent State, but they and I understand that the business of America must be more than just business.

We understand that those who came West, whether they came West across the ocean in creaking wooden ships or whether they came West across the prairie in creaking wooden wagons, they came West not just to get rich, they came West to be free.

Oregonians expect to be represented by men and women of conscience. Join me in my vote of conscience today. Stand with me and stand with our forebears.

Finally, to my colleagues in this Chamber, they know what it means to cast this vote in a trade-dependent district, but I ask them to stand with me and to stand with our forebears who put their lives, their liberties, and their sacred honor on the line. Stand with me, and stand with all those who would walk the path of freedom with us.

For the past 10 years we have strayed from the path of liberty. Through two administrations we have listened to the siren song of the cash register. We have walked into a moral wasteland. What has it gained us but 10 years of growing trade deficits, $60 billion in an annual trade deficit, more Chinese prisoners of conscience than ever?

We can change this with a vote today. Let me make this perfectly clear. If Members take away nothing more than this from this debate, know this, that with our vote today we can make one of the clearest differences of our congressional service. When we take this voting card and we insert it into that slot, when we insert it into that slot, we are literally reaching into the deepest, darkest dungeons ever built by man. When we face that red button and that green button, we can literally set people free by choosing that green button, because years ago, 6 or 7 or 8 years ago when the vote was close in this Chamber, the government in Beijing would set people free every single year in order to affect the vote in this Chamber. By choosing the green button, we can set people free today.

For us, it is merely a choice between two buttons, green and red. For our forebears, it was their lives, their fortunes, and their sacred honors. Because of their sacrifice, we have an easier choice today. Choose the green button. Choose freedom today.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from Seattle, Washington (Ms. DUNN), who will be hosting the WTO ministerial this fall.

Mr. LEVIN. Mr. Speaker, by a previous agreement, I yield 30 seconds to the gentlewoman from Washington (Ms. DUNN).

The SPEAKER pro tempore (Mr. SHIMKUS). The gentlewoman from Washington (Ms. DUNN) is recognized for 2 minutes.

Ms. DUNN. Mr. Speaker, I rise today in opposition to this resolution and in support of our continuing policy of engagement through normal trade relations with China.

The open exchange of goods and services has been a critical component of

fostering understanding between nations for centuries. Creating an environment of normal relations and ongoing engagement only serves to lower the walls of fear and suspicion while building a spirit of cooperation through joint venture.

Make no mistake, our relationship with China is complex and evolving, a road filled with obstruction. We have legitimate concerns about nuclear proliferation: our own security protection, the security of Taiwan and the rest of the region, and human rights.

So what should be our objective with China with respect to trade relations? I believe that liberalized trade with a Communist society in the process of opening itself up to the community will some day deliver to our trading partners our most precious gift, and that is the gift of freedom.

There is important work being done in China by western groups attempting to fan this flame of democracy. The National Endowment for Democracy and the International Republican Institute are just two such groups sowing the seeds of freedom inside China. Ned Graham, a resident of my home State of Washington and son of evangelist Billy Graham, has been very successful in spreading the message of religious freedom in China.

His group, Eastgates, International, has distributed 2.5 million Bibles in China since 1992. According to Mr. Graham, he can communicate freely with his contacts in China because of the proliferation of information exchange technology, a development that has been made possible by trade and economic reform.

Continuing normal trade relations with China, the United States' fourth largest trading partner, will only serve to build on this success. I urge my colleagues to oppose this resolution.

□ 1430

Mr. CRANE. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from California (Mr. DREIER), the honorable chairman of the Committee on Rules.

Mr. LEVIN. Mr. Speaker, by prearrangement, I yield 1 additional minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank both of my friends for yielding this time to me.

Mr. Speaker, this is not a debate between those who care about national security and the security of our Nation's labs and those who care about trade. In fact, national security is our number one priority and should continue to be. In a bipartisan way, we are going to work to address that.

At the same time, we can not ignore the very important issues of human rights and of religious persecution. Mr. Speaker, I will take a back seat to no one when it comes to raising concerns about those human rights issues.

Ten years ago this summer, I joined with my colleagues marching to the Chinese Embassy to protest the Tiananmen Square massacre. Just last week, I met with family members of the Falun Gong religious movement whose relatives are being persecuted in China.

The fact of the matter is, our national interests are best served by maintaining commercial relations with our fourth largest trading partner and an emerging power in the Pacific. The key fact today is that the very same market reforms that underpin our vibrant commercial relationship have been the single most powerful force for change in the 5,000-year history of China.

Now, in the last 2 decades, China has undergone a remarkable transformation. I should say to my colleagues who have raised the issue of Taiwan that, 2 decades ago, in Taiwan, there was a very repressive regime. Yet, we maintain commercial relations, and that was key to bringing about democratization.

So in the last 2 decades, if we look at China, it has, in fact, undergone a remarkable transformation driven by market-based economic reforms and an open door to trade and foreign investment. Now this transformation is changing Chinese society and accelerating progress towards increased personal freedom, individual economic choice, and access to outside sources of information.

Many thoughtful analysts who study these changes that are taking place in China believe that the best hope for freedom and democracy in China lies along this path of reform.

About 10 days ago, I called professor Harry Rowen at the Hoover Institution who served in the Reagan administration, in fact one of the great experts on China. I asked him if this year's bad news in U.S.-China relations has caused him to change his mind about the long-term prospects for political freedom in China, which he wrote about 3 years ago in ''National Interests.'' While repression is a reality today, it is just as true that we are witnessing several remarkable pro-democratic developments in China.

For the first time in Chinese history, the judicial system gives criminal suspects the same basic rights afforded our system. Forced confessions have been ruled invalid as a means of proving guilt. These reforms have led to a rapid rise in commercial litigation and in cases being brought against the Chinese Government. There are even civil rights lawsuits that exist.

Now, I have been following for years, having served as a board member of the International Republican Institute, the work of that arm of the National Endowment for Democracy. We have been working to bolster freedom in village elections. Thanks to our efforts, we have seen in rural life a whole thrust towards elections. Today 500 million Chinese experience local democracy by voting in competitive village elections where half of the winners have been nonCommunist candidates.

China's Internet users have doubled to 4 million since the end of 1998, and we now have seen just a report this morning that there are going to be 280 million cell phone users there. This is the right thing to do to maintain our commercial ties. I urge a ''no'' vote on the resolution.

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

Mr. Speaker, this debate is not about maintaining commercial relations with Communist China. It is about maintaining the current commercial relations with Communist China. This is not about isolating Communist China or disengaging from Communist China. It will not prevent anybody from talking to Communist China. This is not about banning trade with Communist China or ending trade with Communist China. It is about altering the current rules of the game with trade.

This is about what? H.J. Res. 57 raises tariffs on Chinese goods as long as they keep their high tariffs and roadblocks to American manufactured products. In other words, it ends the Chinese tariff advantage against our products.

What does it also do? It eliminates the subsidies. This resolution, H.J. Res. 57, would end the trading status which eliminates the subsidies. Our resolution eliminates the subsidies and loan guarantees that are now given to U.S. businessmen to close their factories in the United States and set them up in Communist China in order to take advantage of slave labor. Do we really want to subsidize businessmen this way? This resolution ends that practice.

Yes, it changes the current rules of the game. Under the current system, under those rules of the game where they can have high tariffs against our products, we let them flood their products into our country, and we subsidize the investment of our businessmen in China, in Communist China, to give jobs to their people and put our people out of work, give them the ability to outcompete us with our technology.

Under those rules of the game, we have had a $70 billion trade surplus. What have they done with that? They have used it to modernize their weapons. With that technology that they stole from us, from our missiles, and our weapons systems, they are using that $70 billion to build weapons to aim at us and to threaten American cities and threaten the lives of every American person.

Does a government like this deserve normal trade relations? I say no. It is time to change the rules of the game to protect America's interest, America's security.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I feel deeply about the outstanding issues with China. We have had, indeed, a healthy debate. These are the right issues. Unfortunately, this resolution is the wrong answer.

I want to talk about trade and human rights. We have to be concerned about the imbalance of trade as shown on this chart. We have to be concerned about how we integrate a still nonmarket economy and one that is not based on the rules of law into a system that is based on the rule of law and on free market economy rules. We have to worry about that integration and how it is going to occur.

I very much disagree with those who think it is easy, that we should have just signed on the dotted line when Premier Zhu was here. There were outstanding issues that needed to be resolved, both in terms of market access and also in terms of the role of capital markets and labor markets in China when it is still not anything close to a market-based society.

How are we doing that? The best hope is to negotiate these issues in WTO accession by China. That is the best way to do it. Are we there yet? No. Can we get there? Perhaps. If we do not, I will vote ''no'' on permanent NTR. If we make more progress, I could vote ''yes''.

But look, face it, all of our concern about market issues, about the imbalance here, all of our hopes to, in a rather soon fashion, address these issues will be pulled away from us if we were to pass this resolution. China accession, WTO accession negotiations would come to a careening halt, not only now, but for the foreseeable future. We have got to do the hard work on trade.

I want to say a word about human rights. I feel deeply about this, too. One of my family entered China the day of Tiananmen Square. But, look, this discussion every year is not moving the ball forward. Everybody knows that, if we were to pass this resolution, it would not pass the Senate. If it were ever to pass the Senate, it would be vetoed by the President. We have got to do the hard work on human rights beyond this annual discussion.

So, look, the issues are the correct ones. But we need more than symbolism. We need more than symbolism. We need to do the hard work every day, day-to-day, on these trade issues and human rights issues. In that sense, this resolution is a diversion.

I hope out of this discussion will come a dedication to do WTO China right in the interest of American workers and businesses and on human rights to every day find new mechanisms to express ourselves.

We do not take ourselves seriously enough when we devote ourselves only once in a year. This is an every-year job on trade. It is an every-day job on trade. It is an every-year job on human rights. It is an every-day job on human rights.

Let us roll up our sleeves and do more than symbolism. I urge that we vote ''no'' on this resolution and then get busy solving the trade and human rights issues that are embedded in our present relationship with China.

Mr. STARK. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Missouri (Mr. GEPHARDT), the distinguished minority leader, to close debate for our side.

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

Mr. GEPHARDT. Mr. Speaker, I commend the leadership of the gentlewoman from California (Ms. PELOSI) who has truly been the leader on this issue. I want to commend all of my friends on the other side of the aisle who have also stood and spoken their minds on this issue.

I want to commend the gentleman from Oregon (Mr. WU), a new Member of the House who comes from a district that is heavily dependent on trade. I want to commend his courage in making the statement he made today. He obviously did it from his heart and his mind, and I really, really admire the statement that he made.

I rise today to ask Members to vote for this resolution. It is clear to me that, on any of the grounds that we must look at, trade, rule of law, human rights, that not only has China not made progress in the last year, in fact, I would say that they are moving in the exact wrong direction that they ought to be moving in.

Let us first talk about trade. In 1988, the year before Tiananmen Square, we had a $3.5 billion deficit with China. In 1997, it was $50 billion. This year, it will be $70 billion. In fact, our exports to China in this year will decline to less than $14 billion. We export more to Belgium, a country of 10 million people, than we export to China.

Why is this the case? It is the case because we are not allowed to export our items to China. They do not want our goods. They want one-way free trade. They want to support the deficits they have with most every other country in the world with what they can sell to the United States. They want to play us for a sucker because we are willing to let them do it.

If we continue to be willing to let them do what they want to do, the trade deficit with China will be $100 billion soon, $140 billion, $200 billion. How much unfair trade do we want to put up with? It makes no sense.

The gentleman from California (Mr. DREIER) says we have to maintain commercial relationships. This much? How much is enough commercial relationship to allow them to make so-called progress? This is ridiculous. There is no common sense in it whatsoever.

Now let us talk about rule of law.

□ 1445

Trade relations depend upon rule of law. Rule of law in China would benefit our businesses. Our business community comes to us and says, when are we going to get intellectual property protected in China? If we do not take a stand ultimately on MFN, how do we expect to get them to accept the rule of law?

A country that arrests people for speaking their minds is not about to protect people's property. A country that seizes political dissidents is not about to protect our property. A country that seizes the assets of foreign corporations is not about to protect our property. If we do not take a stand on MFN, ultimately there is no way to get China to ultimately accept a rule of law and protect our property.

Finally, let me talk about human rights. Abraham Lincoln said that our Declaration of Independence gave liberty not alone to the people of this country, but hope to all the world for all future time. The issue of human rights is not just an American issue, it is an issue for every human being in this world. And the primary reason to take this stand today against MFN for China is because they refuse, right till today, to give their people basic, decent human rights.

We remember Tiananmen Square, but let us fast forward to today. There is a group in China that wants to practice its own form of religious belief, Falun Gong. They are arresting people today who they do not want to express their beliefs. They are arresting people in their own government who are suspected now of allowing the people to carry out these beliefs in China.

Tell me if they are making progress. They are making progress in the wrong direction. When will America stand up and finally say that the human rights we enjoy must be enjoyed by every citizen in this world, including the billion people who live in China.

Today is the day to take that stand. Vote for this resolution. Let us stand for trade, let us stand for rule of law and let us stand, most importantly, for the human rights of the people in China.

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

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

Mr. OXLEY. Mr. Speaker, I rise in opposition to the resolution.

Before I get into the thrust of my comments, I think we must all once again be reminded that what this debate is really all about is extending normal trading ties with China for another year.

Normal Trade Relations, or NTR, does not grant some special benefit to the Chinese. Rather, it simply grants the Chinese the same trading status that the U.S. has with most of the rest of the world.

China is our fourth largest trading partner. We exported $14 billion in goods and services to the Chinese in 1998, which supported over 200,000 high-wage American jobs.

Revoking NTR would push tariffs on Chinese goods from four to 40 percent, resulting in an effective tax increase of nearly $300 per American family.

I understand and appreciate the concerns opponents of NTR have with the government of the People's Republic of China. I harbor no illusions about the benevolence of the PRC's leadership.

However, I firmly believe that engagement with China offers the best hope for democratic reform there. I have to ask what opponents of engagement hope to accomplish by revoking NTR. To my mind, it would be a step backward.

Again, I urge my colleagues to oppose this resolution and promote, rather than stifle, positive change in China.

Mr. CRANE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me wrap up by expressing my total commitment to the traditional bipartisan support we have given toward advancing normal trade relations with China, and I am talking about all of our presidents, President Ford, President Carter, President Reagan, President Bush, President Clinton, all of them; and most recently, in addition, 17 former secretaries of State, Defense and national security advisers, all of whom endorse the wise, prudent policy we have pursued of continuing normal trade relations with China.

Normal trade relations supports U.S. jobs. In addition to that, it maintains our ability to create a positive change in China, paves the way for further trade liberalization, and preserves our security interests.

Mr. Speaker, I urge my colleagues to vote ''no'' on H.J. Res. 57.

Mr. EWING. Mr. Speaker, I rise today to oppose the resolution which would unilaterally isolate China from the United States. I support Normal Trade Relations with China. I support China being part of the WTO. China will be one of the superpowers in the next millennium. Peaceful coexistence is of benefit to us all.

Now, we all understand that things are not as we would like them in China. But how do we most impact that? I think by engaging them in fair trade, our discourse with China since the close of the cold war has paid dividends. To put our head in the sand and to back away would be ill advised.

I come to the floor today to again express my strong support for continuing Normal Trade Relations with China.

Since I came to Congress in 1991, this debate has gone on every year and every year I have come to the floor to explain how important trade with China is to our farmers.

It is essential that we continue to grant Normal Trade Relations to China. China will be the most important market for the United States in the 21st Century and granting Normal Trade Relation status is the foundation of any typical bilateral trading relationship.

The recent negotiations for China's accession to the World Trade Organization are proof that China is ready to join the international trade community and we cannot pass up this opportunity.

My home state of Illinois is the 6th leading exporter in the United States and over half a million jobs in Illinois rely on exports. The current crisis in agriculture has placed a spotlight on the huge need for increased foreign market access.

USDA has predicted that 75% of the growth in American farm exports over the next 10 years will be to Asia—and China will make up over half of this amount.

China is already America's 4th largest agriculture export market and if the administration will complete the WTO accession agreement our farmers and ranchers will have the level playing field that they have been waiting for.

I urge Members to vote against this resolution of disapproval and urge the administration to complete the bilateral agreement for China's accession to the WTO.

Mr. ALLEN. Mr. Speaker, Members on both sides of this debate agree that the Chinese government behaves badly, and does things we don't like.

We agree that we want a future China that is more democratic, more respectful of the rights of its citizens, and a member of the international community that plays by the rules.

We also agree that U.S. policy should promote a better China.

But we disagree on the best way to do that.

One side argues that the best way is to punish China for past behavior.

The other side argues that the best way is to engage China to encourage better behavior in the future.

I agree with the latter.

If we approve this resolution, and cut off Normal Trade Relations with China, we can say we have punished China for bad behavior. But will it cause them to release the members of the Fulan Gong religious group? Will it cause them to stop threatening Taiwan? Will it cause them to drop market barriers to our products, and equalize our trade balance? I have not heard a convincing case that, if we withdraw NTR, China will make these improvements we seek.

China has 1.3 billion people. It has a larger landmass than the U.S. We can't push China around. Dictates by our government will have minimal, if any, effect on the degree of freedom and democracy with China. These values are more effectively transmitted to the Chinese people through non-governmental means: business engagement, global financial linkage, cultural and educational exchange, non-governmental organization involvement and, most of all, the Internet.

The United States-China relationship is very complex, and requires careful management and diplomacy. The sledgehammer approach will not solicit better behavior, and will likely backfire on us.

Change in China will not happen overnight. We must be firm and strong in communicating our differences with the Chinese government. But at the same time, we must recognize that long-term change is best nurtured through engagement with the Chinese people.

I urge members to vote against H.J. Res. 57.

Mrs. KELLY. Mr. Speaker, I rise today to discuss my deep concerns with our continued relations with the People's Republic of China. Mr. Speaker, today we must send a crystal clear message to China that their business-as-usual attitude must not continue. On almost every level China is promoting and advocating policies which indicate an unwillingness to negotiate honestly with the United States.

Whether it be on copyright infringement, use of prison labor, religious freedom, military build up, trading of weapons of mass destruction, labor rights, the illegal importation of guns into the United States, espionage against the United States, illegal campaign contributions to United States candidates and general repression of the rights and freedoms of the Chinese People, the government of the Peoples Republic of China must change their policies. They must understand that if we are going to consider their inclusion into the World Trade Organization (WTO) they must make substantial, measurable progress in all of these areas.

As world leaders in commerce and industry and the world's only remaining superpower, we must set the example for the rest of the world to follow on this issue. This afternoon, my good friend the gentleman from California (Mr. COX), spoke on the floor of China seeing the United States as a ''paper tiger.'' That rings of truth. The government of the Peoples Republic of China will not take our words seriously unless we are willing to back our demands for action and negotiation with concrete actions of our own.

Let me be clear, I do not stand here today advocating for passage of H.J. Res. 57. Passage of this joint resolution would send the wrong message. I voted against H.J. Res. 57 and was pleased that it failed. We should not unilaterally cut off trade relations with China. That is the wrong policy and will only serve to fuel the forces of repression and lawlessness in China. Today I speak for the development of a new relationship with the government of the People's Republic of China. A relationship that rewards positive, measurable actions and penalizes them for double dealing, theft and repression. I call on the Administration to develop new relations with China based on these principles before China's government descends further down the wrong path.

Mrs. FOWLER. Mr. Speaker, I rise to express my support for the resolution pending before us today to deny Normal Trade Relations (NTR) Status for the People's Republic of China.

I cast this vote with some reluctance. I do believe that there is value to a policy that engages China—the most populous country in the world and permanent member of the United Nations Security Council—in an effort to move it in the right direction. My vote against the renewal of NTR does not mean that I do not support free trade or the possibility of including China in the World Trade Organization (WTO).

Having said that, however, I continue to be deeply troubled by aspects of Chinese behavior—behavior that in my judgment ought to impede forward progress on the NTR issue. It is because I still have grave concerns about a variety of issues regarding China, that my vote on this bill will remain consistent with my votes in previous years.

First, the revelations of the Cox Report raise profound questions in my mind about the suitability of conferring NTR status on China at this time.

Second, despite commitments by Chinese leaders, China continues to engage in the proliferation of technologies related to weapons of mass destruction and ballistic missiles. Press reports only last week indicated that Chinese companies continue to sell missile technology to North Korea, despite our nation's active efforts to prevent further transfers to that country.

I have also expressed concern in recent years about Chinese companies that are owned by the Peoples Liberation Army (PLA). Legislation I proposed called on the Defense Department to publish the names of Chinese companies exporting products to the United States that are owned and operated by the PLA. Despite this legislation being signed into

law last year, this process has not been put into action. The bill also allowed the President to take additional action against PLA-owned companies by doing things like denying these particular companies NTR status. However, the Administration has not taken advantage of this part of the law either.

At this time, the PLA uses U.S.-derived profits to build weapons—weapons that may well be used against the United States. In other words, the PLA continues to run a number of Chinese companies, and is able to take profits from these companies—who sell their products in the U.S.—and turn around and use these profits to build weapons. Free market capitalism is an admirable objective, but it must be pursued without supporting PLA.

In addition, there are the continuing concerns about religious and human rights in China. The country continues to pursue policies in these areas that warrant condemnation.

The latest saber-rattling over Taiwan is another deeply troubling development in regard to China.

Finally, I am not able to support NTR for China due to the fact that, although we have been voting each year since 1980 to renew NTR, there still has not been a sufficient move toward a balance of trade between the two countries. We continue to maintain a United States trade deficit with China, and over the past decade it has increased from $6 billion to an expected $305 billion by the end of 1999.

I am hopeful that consideration of the inclusion of China in the WTO will be the start of a move toward more open access to the Chinese market, and that it will provide a fundamental change in dynamics between the two countries that will result in fair trade practices. While I understand the importance of maintaining trade relations with China, I also think that it is important that our country be on an equal footing with China in regard to trade.

If China were to resume negotiations on entry into the World Trade Organization and reach a bilateral agreement with the United States on the terms of participation, the issue of NTR would merit a thorough reconsideration. In that case, the primary benefit, in my judgment, would accrue to the United States.

I urge my colleagues to support this resolution of disapproval.

Mr. HOYER. Mr. Speaker, I rise today in strong support of House Joint Resolution 57, which would disapprove the President's extension of Normal Trade Relations—what used to be called Most Favored Nation status—with the People's Republic of China.

Let me stress, I have no quarrel with the more than 1.2 billion citizens of China. They are a good, industrious and honorable people. But, in extending this trading status, we have to ask ourselves: What has the Chinese government—one of the last communist dictatorships on earth—done to deserve it?

The Chinese government's record reads more like an indictment. China flagrantly violates the human rights of its own citizens and internationally recognized labor standards. It fomented anti-American hatred after our clearly accidental bombing of the Chinese embassy in Belgrade. It recently began saber rattling against Taiwan. And it repeatedly has been unwilling to make vital democratic reforms.

Just last week, this House passed a resolution marking the 10th Anniversary of the fall of the Berlin Wall and the West's victory over communism. Ironically, this past June also marked the 10th Anniversary of the Chinese government's crackdown on the advocates of democracy in Tiananmen Square.

An estimated 5,000 Chinese were killed on June 3 and 4, 1989, when government troops crushed pro-democracy protests. Another 10,000 were injured and hundreds more were arrested.

Has the injustice stopped? Not at all. Over the past few months, the government has once again detained dissidents, handing down sentences of up to four years in prison for ''subverting state power, assaulting government, holding illegal rallies, and trying to organize workers laid off from a state run firm.''

And the Washington Post reported this past Sunday that Chinese security forces have rounded up more than 4,000 people in Beijing alone during a massive, nationwide crackdown against the popular Buddhist-based spiritual movement Falun Gong. The government banned the group last week.

At the dawn of the New Millennium, China—in many respects—has barely entered the 20th Century on human rights. And that simply is not acceptable. Nor should it be countenanced by the greatest democracy in the world.

But the human rights and labor standard violations are only one in a series of provocative acts by the Chinese government.

China's recent threats of military action against Taiwan threaten future stability in the region. Although Taiwan's President Lee Teng-hui has retreated on remarks declaring his nation a separate state from the mainland, China has proceeded with ''war-time'' mobilization drills in protest of those remarks.

In addition, the breach in security at American nuclear weapons labs over the past 20 years and recent revelations concerning the development of the neutron bomb and the long range DF–31 missile raise serious concerns about China's advancing military capability and its commitment to non-proliferation of weapons.

Furthermore, China has shown no compunction about violating U.S. intellectual property rights, shipping products made with prison labor and prohibiting thousands of foreign products from entering the Chinese market through a maze of regulations.

Now, in fairness, it can be said that the people of China are somewhat better off than they were 10 years ago. The government has extended some basic rights to its citizens. Whether starting a business, choosing a job, or watching a foreign movie—these rights, albeit restricted, signal some progress.

But has China gone far enough in adopting democratic policies and respecting human rights. The answer clearly is no.

Undeniably, China is one of the great powers in the world today, and our ability to influence its decisions is limited. But we do know that more than one-third of China's exports today are sold in the United States. In the month of May alone, the Department of Commerce reported a trade deficit with China of $5.25 billion and it is projected to reach $67 billion in 1999.

The extension of Normal Trading Relations is one of the few economic levers we possess that can spur China to improve its behavior on these critical issues. We should not forfeit our economic leverage outright. Coddling has never worked.

I implore my colleagues to vote for this Resolution, which would send an unmistakable message to the Chinese government that it cannot continue business as usual.

Mr. COMBEST. Mr. Speaker, I rise in opposition to H.J. Res. 57, a resolution of disapproval of normal trade relations (NTR) status for products from China. I believe that it is in the best interest of United States agriculture to continue, and eventually expand, our trading relationship with China.

U.S. agriculture exports to China were more than $3 billion last year. China represents an agriculture market that is vital to the long-term success of our farmers and ranchers. Agriculture trade with China can strengthen development of private enterprise in that country and bring China more fully into world trade membership.

More than 60 agricultural organizations representing producers, processors, and exporters support extension of normal trade relations with China.

There are few countries that do not have normal trade relations (NTR) status with the United States. NTR status allows a country's products to enter into the United States at the same tariff rates that apply to other trading partners. In fact, NTR provides no special treatment. It allows us to treat all countries' imports in the same manner. Failure to do so often has a serious negative impact on American agriculture, the first to feel the impact of embargoes and retaliation.

Recently the United States signed a bilateral agreement with China that will break down the artificial barriers China erected for certain U.S. exports. China has closed its market for far too long to high quality U.S.meat, wheat, citrus and poultry. Under this agreement, China will accept specific science-based standards and our farmers and ranchers will have access to the vast Chinese market.

Failure to continue normal trade relations with China may jeopardize this agreement.

Additionally, I am encouraged by the progress made by the U.S. Trade Representative in negotiating the rules for China's accession to the World Trade Organization. The goal is to open China's marketplace and secure China's agreement to trade concessions that result in lower tariffs and improved access. Based on the information provided by the USTR, if the preliminary agreements reached remain a part of a final agreement with China, significant progress has been made. I urge the Administration to continue its negotiations. Free and fair trade agreements are good for U.S. agriculture.

International trade is important for American agriculture and for the success and prosperity of American farmers and ranchers.

I urge my colleagues to reject H.J. Res. 57.

Ms. ESHOO. Mr. Speaker, I rise in opposition to this resolution and in support of extending Normal Trade Relations with China.

U.S. exports to China have quadrupled over the past decade and last year alone, our exports to China totaled over $14 billion dollars.

Mr. Speaker, there is no doubt that the U.S. economy is envied by the rest of the world. Our economy has rebounded and flourished because we decided it was more prudent to engage our trading partners than to build walls around our borders.

We do have the responsibility to actively continue an aggressive push for human rights and environmental reforms, recognizing that

these responsibilities need not come at the expense of our economic prosperity. They can and should be addressed in concert with economic issues.

The U.S. policy of engagement ''with our eyes wide open'' best exemplifies the vision needed for global trade success in the new economy.

Today, we should renew this policy and defeat this resolution. I urge my colleagues to oppose this resolution and support the continuation of Normal Trade Relations with China.

Mr. KLECZKA. Mr. Speaker, I rise in opposition to H.J. Res. 57, a motion disapproving of normal trade relations (NTR) with China. I support the continuation of normal trade relations with China because it is in the best interests of both the United States and China.

We must realize that normal trade relations does not confer any special benefits upon the Chinese government. NTR status simply means that the United States will not impose prohibitive tariffs on Chinese products. In return, China must agree to extend NTR treatment to the United States. NTR is a well-established principal under international trade laws and the guidelines of the World Trade Organization.

Nearly every American agrees that China has a long way to go in providing its people with greater political, social, and economic freedoms. Furthermore, concerns about China's development of weapons of mass destruction and espionage activities are troubling. If I believed revoking China's NTR status would address these concerns, I would oppose this extension.

Instead of turning our back on China, a policy of continued engagement will allow the United States to continue to press the Chinese government to give its people greater freedoms and a better standard of living. Since the establishment of normal trade relations with China 20 years ago, living standards for average Chinese citizens has increased dramatically. The continued American presence in China has provided the people with access to more outside information and ideas than ever before. Finally, increased American trade and investment in China has provided a foundation for bilateral cooperation that has led to a more open forum to discuss sensitive topics such as foreign policy and international security matters.

Trade with China is extremely important to the American economy. According to the National Association of Manufacturers, American businesses exported $14 billion of goods to China in the past year. These sales support roughly 400,000 high-skill and high-paying jobs in the United States. There is also the vast potential for further sales of American products to China. China has 1.2 billion people—one-fifth of the world's population. Its economy will only continue to expand as China spends more than $700 billion on infrastructure projects. To close the Chinese market to American businesses would have a devastating impact on our economy.

Mr. Speaker, as I said, I support a continuation of normal trade relations with China because it is in the best interest of both nations. American trade and investment in China will afford the Chinese people with greater freedom and a better life. It will also preserve hundreds of thousands of high-skill, high-wage jobs for future generations of American workers.

Mr. DICKS. Mr. Speaker, the decision that Congress will make today with regard to maintaining Normal Trade Relations with the People's Republic of China represents another important step in defining our future relationship with China.

The Select Committee on U.S. Security and Military/Commercial Concerns with the People's Republic of China, on which I served as Ranking Minority Member, found some very disturbing information with regard to the theft of nuclear technology from our research labs by the PRC. However, the most disturbing findings of the Committee were that these losses resulted from our own security and counter-intelligence failures. Together with the Administration, we have begun to take steps to address this problem, and I am hopeful that our plan will be successful in preventing another sever security breach.

Although I fully recognize the seriousness of these thefts, I do not believe that they should deter us from maintaining our trade partnership with China.

Trade between the United States and China is of tremendous benefit to both nations. China, with one-quarter of the world's population, represents the world's largest emerging market. Although many segments of China's economy have not yet matured, the United States today exports $14.3 billion worth of goods to China annually—four times greater than 10 years ago—supporting more than 400,000 high-wage jobs. Within the State of Washington alone, exports to China totaled nearly $1.1 billion in 1996, and more than $8 billion worth of goods passed through the ports of my state either going to or coming from China.

China represents a huge potential market for future sales in my state for the sale of aircraft, high-tech products, agricultural goods, and forest products. For aircraft alone, the Chinese market is worth over $140 billion during the next 20 years. Lack of NTR trading status would not only jeopardize access to that market, but also bring retaliation against our country's trading sectors and hundreds of thousands of workers.

The people of China also benefit from trade with the United States. As that market opens wider and the Chinese economy develops, the Chinese middle class grows in strength, both political and economic. I believe that developing a viable middle class in China is the best way to provide a solid foundation upon which an open, democratic society may be created. Denying NTR status through this Resolution today will run counter to that objective, greatly hindering this transition, and is clearly not in our nation's best interests.

Supporters of this Resolution argue that by denying NTR status to China, we will be forcing the government to make significant changes to their policies. I believe the exact opposite result would occur.

If we choose not to renew NTR status to China, our international competitors will not hesitate to fill the void that will be left by our absence. Effectively, we will be excluding ourselves from the economy of the largest nation on the earth.

In the aerospace industry, for example, the European consortium Airbus is both willing and capable of replacing Boeing as the leading supplier of commercial aircraft to China. Similarly, I believe it would be exceedingly more difficult for our government to make progress on curbing the enormous problem of software piracy that robs Microsoft and the many other American software companies of hundreds of millions of dollars each year. Let me assure my colleagues that in the long run, denying NTR status will be much worse for our economic well-being than it will be for China's.

As we vote today to decide the future of our relationship with China, I urge members to support continued engagement with China by opposing the Resolution to disapprove Normal Trade Relations.

The SPEAKER pro tempore (Mr. SHIMKUS). All time for debate has expired.

Pursuant to the order of the House of Thursday, July 22, 1999, the joint resolution is considered as having been read for amendment and the previous question is ordered.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 170, nays 260, answered ''present'' 1, not voting 3, as follows:

[Roll No. 338]

YEAS—170

| | | |
|---|---|---|
| Abercrombie | Delahunt | Jackson (IL) |
| Aderholt | DeLauro | Jones (NC) |
| Baldwin | Diaz-Balart | Jones (OH) |
| Ballenger | Dickey | Kaptur |
| Barcia | Doolittle | Kasich |
| Barr | Doyle | Kennedy |
| Bartlett | Duncan | Kildee |
| Barton | Ehrlich | Kilpatrick |
| Bishop | Engel | King (NY) |
| Bonior | Evans | Kingston |
| Bono | Everett | Klink |
| Borski | Forbes | Kucinich |
| Brady (PA) | Fowler | Lantos |
| Brown (FL) | Frank (MA) | Lee |
| Brown (OH) | Gallegly | Lewis (GA) |
| Burr | Ganske | Lipinski |
| Burton | Gejdenson | LoBiondo |
| Capuano | Gephardt | Markey |
| Cardin | Gibbons | Martinez |
| Carson | Gilman | Mascara |
| Chambliss | Goode | McIntyre |
| Chenoweth | Goodling | McKinney |
| Clay | Graham | Meek (FL) |
| Clyburn | Gutierrez | Meeks (NY) |
| Coble | Hall (OH) | Menendez |
| Coburn | Hastings (FL) | Miller, George |
| Collins | Hayes | Mink |
| Condit | Hayworth | Mollohan |
| Cook | Hefley | Nadler |
| Costello | Hilleary | Ney |
| Cox | Hilliard | Norwood |
| Coyne | Hinchey | Obey |
| Cubin | Hobson | Olver |
| Cummings | Horn | Owens |
| Danner | Hostettler | Pallone |
| Davis (IL) | Hoyer | Pascrell |
| Deal | Hunter | Payne |
| DeFazio | Hyde | Pelosi |

Pickering
Pombo
Rahall
Riley
Rivers
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Sabo
Sanchez
Sanders
Sanford
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sisisky
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Thompson (MS)
Tiahrt
Tierney
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (FL)
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—260

Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Castle
Chabot
Clayton
Clement
Combest
Conyers
Cooksey
Cramer
Crane
Crowley
Cunningham
Davis (FL)
Davis (VA)
DeGette
DeLay
DeMint
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dreier
Dunn
Edwards
Ehlers
Emerson
English
Eshoo
Etheridge
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Franks (NJ)
Frelinghuysen
Frost
Gekas
Gilchrest
Gillmor
Gonzalez
Goodlatte
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Herger
Hill (IN)
Hill (MT)
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Hooley
Houghton
Hulshof
Hutchinson
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kelly
Kind (WI)
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Northup
Nussle
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogan
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sawyer
Saxton
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (WA)
Snyder
Stabenow
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Toomey
Towns
Turner
Upton
Vitter
Walden
Watkins
Watts (OK)
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (FL)

ANSWERED ''PRESENT''—1

Slaughter

NOT VOTING—3

McDermott
Oberstar
Peterson (PA)

□ 1510

Messrs. HOEFFEL, SIMPSON, PETRI, and SHADEGG changed their vote from ''yea'' to ''nay.''

Mr. ENGEL, Mr. WISE, and Ms. ROS-LEHTINEN changed their vote from ''nay'' to ''aye.''

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

## CONFERENCE REPORT ON H.R. 2465, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2000

Mr. HOBSON submitted the following conference report and statement on the bill (H.R. 2465) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–266)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2465) ''making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes'', 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 stricken and inserted by said amendment, insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2000, and for other purposes, namely:*

*MILITARY CONSTRUCTION, ARMY*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,042,033,000, to remain available until September 30, 2004: Provided, That of this amount, not to exceed $91,605,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.*

*MILITARY CONSTRUCTION, NAVY*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $901,531,000, to remain available until September 30, 2004: Provided, That of this amount, not to exceed $72,630,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.*

*MILITARY CONSTRUCTION, AIR FORCE*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $777,238,000, to remain available until September 30, 2004: Provided, That of this amount, not to exceed $36,412,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.*

*MILITARY CONSTRUCTION, DEFENSE-WIDE*

*(INCLUDING TRANSFER OF FUNDS)*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $593,615,000, to remain available until September 30, 2004: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $48,324,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.*

*MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contribution therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $227,456,000, to remain available until September 30, 2004.*

*MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the*

*training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $263,724,000, to remain available until September 30, 2004.*

*MILITARY CONSTRUCTION, ARMY RESERVE*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $111,340,000, to remain available until September 30, 2004.*

*MILITARY CONSTRUCTION, NAVAL RESERVE*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $28,457,000, to remain available until September 30, 2004.*

*MILITARY CONSTRUCTION, AIR FORCE RESERVE*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $64,404,000, to remain available until September 30, 2004.*

*NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM*

*For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, $81,000,000, to remain available until expended.*

*FAMILY HOUSING, ARMY*

*For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $80,700,000, to remain available until September 30, 2004; for Operation and Maintenance, and for debt payment, $1,086,312,000; in all $1,167,012,000.*

*FAMILY HOUSING, NAVY AND MARINE CORPS*

*For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $341,071,000, to remain available until September 30, 2004; for Operation and Maintenance, and for debt payment, $891,470,000; in all $1,232,541,000.*

*FAMILY HOUSING, AIR FORCE*

*For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $349,456,000, to remain available until September 30, 2004; for Operation and Maintenance, and for debt payment, $818,392,000; in all $1,167,848,000.*

*FAMILY HOUSING, DEFENSE-WIDE*

*for expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $50,000, to remain available until September 30, 2004; for Operation and Maintenance, $41,440,000; in all $41,490,000.*

*DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND*

*For the Department of Defense Family Housing Improvement Fund, $2,000,000, to remain available until expended, as the sole source of funds for planning, administrative, and oversight costs relating to family housing initiatives undertaken pursuant to 10 U.S.C. 2883, pertaining to alternative means of acquiring and improving military family housing, and supporting facilities.*

*BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV*

*For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $672,311,000, to remain available until expended: Provided, That not more than $346,403,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.*

*GENERAL PROVISIONS*

*SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.*

*SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.*

*SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.*

*SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.*

*SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.*

*SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.*

*SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.*

*SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.*

*SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.*

*SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.*

*SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.*

*SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.*

*SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.*

*SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.*

*(TRANSFER OF FUNDS)*

*SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.*

*SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.*

*SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.*

*(TRANSFER OF FUNDS)*

*SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the*

*period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.*

*SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.*

*(TRANSFER OF FUNDS)*

*SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.*

*SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').*

*SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.*

*(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.*

*(TRANSFER OF FUNDS)*

*SEC. 123. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.*

*SEC. 124. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.*

*SEC. 125. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).*

*(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—*

*(A) the closure or realignment of the installation for which housing is provided under the contract;*

*(B) a reduction in force of units stationed at such installation; or*

*(C) the extended deployment overseas of units stationed at such installation.*

*(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.*

*(c) In this section, the term ''congressional defense committees'' means the following:*

*(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.*

*(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.*

*(TRANSFER OF FUNDS)*

*SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.*

*SEC. 127. Not later than April 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report examining the adequacy of special education facilities and services available to the dependent children of uniformed personnel stationed in the United States. The report shall identify the following:*

*(1) The schools on military installations in the United States that are operated by the Department of Defense, other entities of the Federal government, or local school districts.*

*(2) School districts in the United States that have experienced an increase in enrollment of 20 percent or more in the fast five years resulting from base realignments or consolidations.*

*(3) The impact of increased special education requirements on student populations, student-teacher ratios, and financial requirements in school districts supporting installations designated by the military departments as compassionate assignment posts.*

*(4) The adequacy of special education services and facilities for dependent children of uniformed personnel within the United States, particularly at compassionate assignment posts.*

*(5) Corrective measures that are needed to adequately support the special education needs of military families, including such improvements as the renovation of existing schools or the construction of new schools.*

*(6) An estimate of the cost of needed improvements, and a recommended source of funding within the Department of Defense.*

*SEC. 128. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including flag and general officer quarters; Provided, That not more than $25,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without thirty days advance prior notification of the appropriate committees of Congress; Provided further, That beginning January 15, 2000 the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual flag and general officer quarters for the prior fiscal year.*

*SEC. 129. The first proviso under the heading ''MILITARY CONSTRUCTION TRANSFER FUND'' in chapter 6 of title II of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31) is amended by inserting ''and to the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code'' after ''to military construction accounts'': Provided, That funds transferred to the North Atlantic Treaty Organization Security Investment Program from the Military Construction Transfer Fund pursuant to such authority shall be available for all purposes of the Security Investment Program and shall remain available until expended.*

*SEC. 130. The Army, Navy, Marine Corps, and Air Force are directed to submit to the appropiate committees of the Congress by July 1, 2000, a Family Housing Master Plan demonstrating how they plan to meet the year 2010 housing goals with traditional construction, operation and maintenance support, as well as privatization initiative proposals. Each plan shall include projected life cycle costs for family housing construction, basic allowance for housing, operation and maintenace, other associated costs, and a time line for housing completions each year.*

*SEC. 131. Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act or any other Act may be obligated or expended for any purpose relating to the construction at Bluegrass Army Depot, Kentucky, of any facility employing a specific technology for the demilitarization of assembled chemical munitions until the date on which the Secretary of Defense certifies to the Committees on Appropriations that the Department of Defense will complete a demonstration of the six alternatives to baseline incineration for the destruction of chemical agents and munitions as identified by the Program Evaluation Team of the Assembled Chemical Weapons Assessment program.*

*This Act may be cited as the ''Military Construction Appropriations Act, 2000''.*

And the Senate agree to the same.

DAVID L. HOBSON,
JOHN EDWARD PORTER,
ROGER F. WICKER,
TODD TIAHRT,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
C.W. BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAL D. DICKS,
DAVID R. OBEY,
*Managers on the Part of the House.*

CONRAD BURNS,
KAY BAILEY HUTCHISON,
LARRY E. CRAIG,
JON KYL,
TED STEVENS,
PATTY MURRAY,
HARRY REID,
DANIEL K. INOUYE,
ROBERT C. BYRD,
*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. 2465) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate deleted the entire House bill after the enacting clause and inserted the text of Senate bill (S. 1205). The conference agreement includes a revised bill.

ITEMS OF GENERAL INTEREST

*Matters Addressed by Only One Committee.*—The language and allocations set forth in House Report 106–221 and Senate Report 106–74 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate has directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

*Financial Management.*—The conferees agree that the amount requested for construction contingencies, 5 percent for new construction and 10 percent for alterations or additions, is excessive. Therefore, the conferees have included general reductions which reduce the funding available for contingency within the Department. The conferees direct that no project for which funds were previously appropriated, or for which funds are appropriated in this bill, may be canceled as a result of the reductions included in the conference agreement.

The conference agreement includes reductions totaling $25,900,000 which result from re-estimation of inflation undertaken by the Office of Management and Budget as part of the mid-session review of the budget request. The conferees direct the Department to distribute these reductions proportionally against each project and activity in each account, as follows:

*Reductions Resulting From Economic Assumptions In OMB's Mid-Session Review of the Budget Request*

| *Account* | *Amount* |
|---|---|
| Military Construction, Army | $3,700,000 |
| Military Construction, Navy | 3,000,000 |
| Military Construction, Air Force | 2,300,000 |
| Military Construction, Defense-wide | 2,300,000 |
| Family Housing Operations, Army | 3,500,000 |
| Family Housing Construction, Navy | 1,000,000 |
| Family Housing Operations, Navy | 3,600,000 |
| Family Housing Construction, Air Force | 1,000,000 |
| Family Housing Operations, Air Force | 3,500,000 |
| Base Realignment and Closure, Part IV | 2,000,000 |
| | $25,900,000 |

*European Construction.*—The conference agreement does not provide funding for European military construction projects. The conferees direct the Department to use funds that were appropriated in the Fiscal Year 1999 Emergency Supplemental Appropriations Act (Public Law 106–31) to provide full funding for these projects.

*Service Academy Military Construction Master Plan.*—The conferees direct the Under Secretary of Defense (Comptroller) and the Under Secretary of Defense (Acquisition and Technology) to conduct a joint review of the Service Academies' military construction, family housing, and operations and maintenance requirements in this or any other Act. This review is to be completed in conjunction with the services and result in the development of a Service Academy Master Plan. Accordingly, the conferees direct the Secretary of Defense to submit the plan to the congressional defense committees no later than March 1, 2000, Any future requirements at an Academy must be included in the Master Plan. Furthermore, after the Service Academy Master Plan is submitted, any emergent requirements not included in the plan will require notification of the congressional defense committees.

MILITARY CONSTRUCTION, ARMY

The conference agreement appropriates $1,042,033,000 for Military Construction, Army, instead of $1,223,405,000 as proposed by the House, and $1,067,422,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $91,605,000 for study, planning, design, architect and engineer services, and host nation support instead of $87,215,000 as proposed by the House and $86,414,000 as proposed by the Senate.

*California—Presidio of Monterey: Video Teletraining Facility.*—The conferees direct that this project is to be accomplished within additional funds provided for unspecified minor construction.

*New York—U.S. Military Academy: Cadet Physical Development Center, Phase II.*—The conference agreement provides $14,000,000 for the construction of this project, instead of no funding as proposed by the House, and $28,500,000 as proposed by the Senate. The conferees agree the total cost of this project estimated at $85,000,000 is excessive, and are aware this cost estimate includes $17,000,000 for seismic upgrade. According to United States Geological Survey, National Earthquake Information Center documents, the Military Academy is located in a low-risk seismic area. Additionally, in a Report of Seismic Study on the project, a consultant made the following comment, ''Seismic upgrading, subject to review with governing Corps of Engineers and U.S. Military Academy authorities, is not recommended, is not considered cost-effective, and is not practically feasible.'' As a result of these understandings, the conferees agree to cap the total cost of this project at $63,000,000. The Under Secretary of Defense (Comptroller) is directed to report to the appropriate committees of Congress no later than January 15, 2000 on the revised cost estimate for this project, including project-level information presented in Form 1391 detail.

*Pennsylvania—Carlisle: Military History Institute.*—The conferees are aware of the Army's plan to rebuild the Military History Institute in Carlisle, Pennsylvania. Of the $70,305,000 provided for planning and design within the ''Military Construction, Army'' account, the conferees direct that $500,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, NAVY

The conference agreement appropriates $901,531,000 for Military Construction, Navy, instead of $968,862,000 as proposed by the House, and $884,883,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $72,630,000 for study, planning, design, architect and engineer services instead of $65,010,000 as proposed by the House and $66,581,000 as proposed by the Senate.

*Virginia—Quantico Marine Corps Base: Infrastructure Development.*—Mission growth at Quantico over the past decade has put an enormous amount of stress on the basic infrastructure there. In fact, past efforts to program the construction of new facilities at the installation have failed due to the lack of basic infrastructure. The conferees are aware of plans to provide utilities and road structures at Quantico to correct current facility deficiencies. The project will also open approximately 500–800 acres for future development. The conferees agree this project is needed for continued growth and development of the base. Therefore, the Navy is directed to accelerate the design of this project and include the required funding in its fiscal year 2001 budget request.

MILITARY CONSTRUCTION, AIR FORCE

The conference agreement appropriates $777,238,000 for Military Construction, Air Force, instead of $752,367,000 as proposed by the House, and $783,710,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $36,412,000 for study, planning, design, architect and engineer services instead of $32,104,000 as proposed by the House and $32,764,000 as proposed by the Senate.

*Kansas—McConnell Air Force Base: Base Civil Engineer Complex.*—The conferees direct the Air Force to accelerate the design of this project, and to include the required funding in its fiscal year 2001 budget request.

MILITARY CONSTRUCTION, DEFENSE-WIDE

The conference agreement appropriates $593,615,000 for Military Construction, Defense-wide, instead of $755,718,000 as proposed by the House, and $770,690,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $48,324,000 for study, planning, design, architect and engineer services instead of $33,324,000 as proposed by the House and $38,664,000 as proposed by the Senate.

*Chemical Demilitarization Program.*—The conference agreement provides $267,100,000 for the chemical demilitarization program to fully fund all requested projects for fiscal year 2000. However, the conferees are concerned over the extremely slow obligation and expenditure rates for the program due to pending decisions on alternative technologies, delays in obtaining the required environmental and construction permits, and possible delays in equipment delivery. Therefore, based on unobligated prior year funds, the conferees include a general reduction of $93,000,000 against the entire program. This reduction includes $15,000,000 from the program's planning and design account.

*Forward Operating Locations.*—The fiscal year 2000 budget request included $42,800,000 for the construction of three Forward Operating Locations (FOLs) using funds from the ''Drug Interdiction and Counter-Drug Activities, Defense'' appropriation. Due to the presentation of the budget request, the conferees intend this matter be dealt with in the Defense Appropriations Bill. The conferees direct that future needs for the construction of FOLs be requested under the ''Military Construction, Defense-wide'' account. Furthermore, in future budget submissions, the conferees expect project-level information for FOL construction projects to be presented in Form 1391 detail. The conferees further expect the Department to accomplish any required planning and design for these projects by realigning Defense-wide planning and design.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $227,456,000 for Military Construction, Army National Guard, instead of $135,129,000 as proposed by the House, and $226,734,000 as proposed by the Senate.

*Florida—St. Petersburg/Tampa Area: Readiness Center.*—Of the additional funding provided for planning and design, the conferees direct that not less than $3,500,000 be made available for the design of this project.

*Maryland—Aberdeen Proving Ground (Weide Army Airfield): UH–60 Tie Down Pads.*—The conferees direct that this project is to be accomplished within additional funds provided for unspecified minor construction.

*Minnesota—Mankato: Training and Community Center.*—The current facility used by the 2nd Battalion 135th Infantry Mechanized was originally built in 1914. The facility has deteriorated extensively and is substandard with respect to Minnesota State Building Codes, the Life Safety Code, Occupational Safety and Health Administration (OSHA) regulations, and requirements identified by the Americans with Disabilities Act (ADA). Therefore, the conferees direct the Army National Guard to accelerate the design of this project, and to include the required funding in it fiscal year 2001 budget request.

*Oregon—Baker City: Readiness Center.*—The conferees direct the Army National Guard to accelerate the design and to include this project in its fiscal year 2001 budget request.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $263,724,000 for Military Construction, Air National Guard, instead of $180,870,000 as proposed by the House, and $238,545,000 as proposed by the Senate.

*Rhode Island—Quonset: Maintenance Hangar.*—Of the $7,275,000 provided for planning and design within the ''Air National Guard'' account, the conferees direct that not less than $1,500,000 be made available to accelerate and complete the design and any necessary site preparation work for a new hangar to maintain the C–130J–30 stretch aircraft assigned to the Rhode Island National Guard. Although the conferees were unable to fund this, and other, meritorious projects due to severe financial constraints, the conferees recognize the urgency of this project. Therefore, the conferees have deferred the project without prejudice and direct the Administration to incorporate the necessary $16,500,000 for its construction into the President's fiscal year 2001 budget.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $111,340,000 for Military Construction, Army Reserve, instead of $92,515,000 as proposed by the House, and $105,817,000 as proposed by the Senate.

MILITARY CONSTRUCTION, NAVAL RESERVE

The conference agreement appropriates $28,457,000 for Military Construction, Naval Reserve, instead of $21,574,000 as proposed by the House, and $31,475,000 as proposed by the Senate.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $64,404,000 for Military Construction, Air Force Reserve, instead of $66,549,000 as proposed by the House, and $35,864,000 as proposed by the Senate.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement appropriates $81,000,000 for the North Atlantic Treaty Organization Security Investment Program (NSIP) as proposed by the House, instead of $100,000,000 as proposed by the Senate.

The conferees note that the actual requirement for the NATO Security –Investment Program has been reduced to $172,000,000 since the submission of the budget request. The conferees expect the Department to use funds that were appropriated in the Fiscal Year 1999 Emergency Supplemental Appropriations Act (Public Law 106–31) to provide adequate funding for this account.

*North Atlantic Treaty Organization Security Investment Program Funds.*—The conferees agree to a provision, Section 124, which prohibits the use of NSIP funds for any aspect of the Partnership for Peace Program in the New Independent States of the former Soviet Union.

The conferees continue the requirement that no funds will be used for projects (including planning and design) related to the enlargement of NATO and the Partnership for Peace, unless Congress is notified 21 days in advance of the obligation of funds. In addition, the conferees' intent is that Section 110 of he General Provisions shall apply to this program.

The Department of Defense is directed to identify separately the level of effort anticipated for NATO enlargement and for Partnership for Peace for that fiscal year in future budget justifications.

FAMILY HOUSING—OVERVIEW

*General and Flag Officer Quarters.*—The conferees were dismayed to learn the Air Force, in addition to the Navy, has in recent years supplemented family housing funds with regular operations and maintenance funds on general and flag officer quarters. Therefore, the conferees have no recourse but to include a general provision (Section 128) which statutorily prohibits the mixing of operations and maintenance and family housing funds on all family housing units, including general officer quarters.

The conferees will continue the existing notification requirement to the appropriate committees of Congress when maintenance and repair costs will exceed $25,000, instead of $15,000 as proposed by the House, for a unit not requested in the budget justification. However, beginning January 15, 2000, the Under Secretary of Defense (Comptroller) is to report on an annual basis all operations and maintenance expenditures for each individual flag and general officer quarters. In addition, the conferees direct the Inspector General of the Department to investigate the circumstances surrounding the expenditures of regular operations and maintenance funds on general and flag officer quarters by all military services. The Inspector General should determine if there were any violations of appropriations law and address corrective actions taken by the Department to preclude future occurrence of these violations.

FAMILY HOUSING, ARMY

The conference agreement appropriates $80,700,000 for Construction, Family Housing, Army, instead of $89,200,000 as proposed by the House and $60,900,000 as proposed by the Senate.

The conferees direct that the following project is to be accomplished within the increased amount provided for construction improvements:

Kentucky—Fort Campbell (26 units) ..... $2,800,000

The conference agreement appropriates $1,086,312,000 for Operation and Maintenance, Family Housing, Army, instead of $1,089,812,000 as proposed by the House and $1,098,080,000 as proposed by the Senate.

The conference agreement appropriates a total of $1,167,012,000 for Family Housing, Army, instead of $1,179,012,000 as proposed by the House and $1,158,980,000 as proposed by the Senate.

FAMILY HOUSING, NAVY AND MARINE CORPS

The conference agreement appropriates $341,071,000 for Construction, Family Housing, Navy and Marine Corps, instead of $312,559,000 as proposed by the House and $298,354,000 as proposed by the Senate.

The conferees direct that the following projects are to be accomplished within the increased amount provided for construction improvements:

California—Twentynine Palms MCAGCC (692 units) ..... $5,100,000
Illinois—Great Lakes NTC (127 units) ..... 14,400,000
North Carolina—Camp Lejeune MCB (91 units) ..... 9,100,000
North Carolina—Cherry Point MCAS (138 units) ..... 2,700,000
Pennsylvania—Philadelphia NICP (2 units) ..... 200,000
South Carolina—Parris Island MCRD (48 units) ..... 4,932,000

The conference agreement appropriates $891,470,000 for Operation and Maintenance, Family Housing, Navy and Marine Corps, instead of $895,070,000 as proposed by the House and Senate.

The conference agreement appropriates a total of $1,232,541,000 for Family Housing, Navy and Marine Corps, instead of $1,207,629,000 as proposed by the House and $1,193,424,000 as proposed by the Senate.

FAMILY HOUSING, AIR FORCE

The conference agreement appropiates $349,456,000 for Construction, Family Housing, Air Force, instead of $344,996,000 as proposed by the House and $335,034,000 as proposed by the Senate.

The conferees direct that the following project is to be accomplished within the increased amount provided for construction improvements:

South Carolina—Charleston AFB (50 units) ..... $5,500,000

The conference agreement appropriates $818,392,000 for Operation and Maintenance, Family Housing, Air Force, instead of $821,892,000 as proposed by the House and Senate.

*Illinois—Scott Air Force Base: Asbestos Removal.*—The conferees understand the Air Force has an immediate asbestos problem with a housing complex at Scott AFB in Illinois. The Air Force plans to utilize part of this complex for other purposes, but cannot do so without first completing the removal of the asbestos material. The conferees urge the Air Force to use funds available within the ''Family Housing, Air Force Operation and Maintenance'' account in this Act to perform the required asbestos removal at Scott AFB.

The conference agreement appropriates a total of $1,167,848,000 for Family Housing, Air Force, instead of $1,166,888,000 as proposed by the House and $1,156,926,000 as proposed by the Senate.

FAMILY HOUSING, DEFENSE-WIDE

The conference agreement appropriates $50,000 for Construction, Family Housing, Defense-wide, as proposed by the House and Senate.

The conference agreement appropriates $41,440,000 for Operation and Maintenance, Family Housing, Defense-wide, as proposed by the House and Senate.

The conference agreement appropriates a total of $41,490,000 for Family Housing, Defense-wide, as proposed by the House and Senate.

FAMILY HOUSING REVITALIZATION TRANSFER FUND

The conference agreement appropriates no funds for the Family Housing Revitalization Transfer Fund, as proposed by the House, instead of $25,000,000 as proposed by the Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The conference agreement appropriates $2,000,000 for the Department of Defense Family Housing Improvement Fund as proposed by the House instead of $25,000,000 as proposed by the Senate. The reduction from the level proposed by the Senate reflects full funding of construction projects and construction improvement projects in the traditional family housing accounts, rather than

in the Family Housing Improvement Fund. Transfer authority is provided for the execution of any qualifying project under privatization authority which resides in the Fund.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

The conference agreement appropriates no funds for the Homeowners Assistance Fund, Defense.

The total estimated requirements for the fund for fiscal year 2000 are estimated at $62,687,000 and will be funded with transfers from the Base Realignment and Closure account and revenue from the sales of acquired property.

BASE REALIGNMENT AND CLOSURE—OVERVIEW

*Construction Projects: Administrative Provision.*—The conferees agree that any transfer of funds which exceeds reprogramming thresholds for any construction project financed by any Base Realignment and Closure Account shall be subject to a 21-day notification to the Committees, and shall not be subject to reprogramming procedure.

*Construction Budget Data.*—The conferees are concerned about the accuracy and reliability of the base realignment and closure (BRAC) construction budget data provided annually to the Congress. The Office of the Department of Defense Inspector General and the General Accounting Office recently found that the Services submitted BRAC military construction data in the fiscal years 1997 through 1999 military construction budgets based on overstated requirements and unsupported specifications and costs. They also found that the major commands of the Services did not effectively implement management control procedures established for the BRAC military construction planning, programming and budgeting process. This has resulted in overstated and invalid BRAC requirements and lack of supporting documentation. The conferees direct the Department to take the necessary corrective action to ensure that these deficiencies are corrected in the fiscal year 2001 budget submission.

*Future Costs of Environmental Restoration.*—The conferees direct the Department of Defense to submit a legislative proposal for the establishment of a Treasury account entitled ''Base Realignment and Closure Environmental Restoration'', rather than budgeting for future costs in the Operation and Maintenance accounts. The conferees direct that future costs for environmental restoration and operations and maintenance related to the four rounds of base closure conducted from 1988 through 1995 shall be programmed and budgeted in this new account.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

The conference agreement appropriates $672,311,000 for the Base Realignment and Closure Account, Part IV, instead of $705,911,000 as proposed by the House and Senate. Within the amount appropriated, the conference agreement earmarks $346,403,000 for environmental restoration, instead of $360,073,000 as proposed by the House and $426,036,000 as proposed by the Senate.

*Revised Economic Assumptions.*—As described earlier in this report, the conferees recommend a reduction of $2,000,000 from the budget request based on reestimation of inflation.

*Unreported Proceeds.*—The Services have collected $11,800,000 more in proceeds from land sales and leases at closing or realigning bases than reported in the fiscal year 2000 budget request. Statutes and Department of Defense guidance state that proceeds from the transfer, lease, or disposal of property due to the Base Realignment and Closure process shall be deposited into the Base Closure Accounts. The conferees understand that, because such proceeds were collected after the development of the budget, the Army did not report $8,000,000 worth of proceeds, and the Navy did not report $3,800,000. The conferees direct the Services to deposit these proceeds into the Base Realignment and Closure Account, and have reduced the Base Realignment and Closure Account, Part IV fiscal year 2000 appropriation by $11,800,000 to reflect this action.

*Funds Previously Withheld.*—The conferees recommend a reduction of $13,800,000 to the Base Realignment and Closure Account, Part IV. This reduction is based on funds that were previously withheld from obligation based on an inflation rate that was lower than expected. At the time the fiscal year 2000 budget was submitted to Congress, these funds were withheld from obligation, but have subsequently been made available.

*Previously Funded Military Construction.*—Based on funds that were requested for three military construction projects that have already been funded or canceled, the conferees recommend an additional reduction of $6,000,000 to the Base Realignment and Closure Account, Part IV. The Army requested $3,300,000 for an expanded dining facility at Fort Leonard Wood in Missouri that was accelerated and funded with fiscal year 1999 funds. The Army also requested $1,100,000 for a sanitary sewer line at Fort Dix in New Jersey. The Army now plans to continue using the existing utility plant. Therefore, the $1,100,000 included in the fiscal year 2000 budget request is no longer needed. The Navy included $1,600,000 in its budget request for building renovations at the Norfolk Naval Base in Virginia. However, in fiscal year 1999, nearly $4,000,000 was appropriated for the same project. Later, the cost of the project was reduced to $1,600,000. Therefore, the conferees believe there is sufficient funding available for this project without new appropriations for fiscal year 2000.

*Texas—Reese Air Force Base: Building Demolition.*—In an effort to replace over 3,000 jobs lost due to the closure of Reese AFB, the Lubbock Reese Redevelopment Authority (LRRA) is partnering with local universities to develop a technology led research project. The LRRA plans to leverage research, technology transfer and academic endeavors to attract businesses to relocate at Reese AFB. To attract such companies to Reese AFB, the LRRA has identified over 40 facilities to be demolished. The conferees direct the Air Force to support the LRRA's plans for demolition at the installation. The Secretary of the Air Force is directed to report to the appropriate committees of Congress no later than January 15, 2000 on the plans for building demolition at the installation, including the funding and estimated dates for completion of such activities.

GENERAL PROVISIONS

The conference agreement includes general provisions that were not amended by either the House or Senate in their versions of the bill.

The conference agreement includes a provision, Section 121, as proposed by the House, which prohibits the expenditure of funds except in compliance with the Buy American Act. The Senate bill contained no similar provision.

The conference agreement includes a provision, Section 122, as proposed by the House, which states the Sense of the Congress that recipients of equipment or products authorized to be purchased with financial assistance provided in this Act are to be notified that they must purchase American-made equipment and products. The Senate bill contained no similar provision.

The conference agreement includes a provision, Section 123, as proposed by the House, permitting the transfer of funds from Family Housing, Construction accounts to the DOD Family Housing Improvement Fund. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered Section 124, as proposed by the Senate amended to prohibit the use of funds in this Act to be obligated for Partnership for Peace programs in the New Independent States of the former Soviet Union. The House bill contained no similar provision.

The conference agreement includes a provision renumbered Section 125, as proposed by the House and the Senate, which requires the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing.

The conference agreement includes a provision renumbered Section 126, as proposed by the House and the Senate, which provides transfer authority to the Homeowners Assistance Program.

The conference agreement includes a provision renumbered Section 127, as proposed by the Senate, which requires the Secretary of Defense to report on the adequacy of special education facilities for Department of Defense family members. The House bill contained no similar provision.

The conference agreement includes a provision renumbered Section 128, as proposed by the House, amended to require that all Military Construction Appropriation Acts be the sole funding source of all operation and maintenance for family housing, including flag and general officer quarters, and limits the repair on flag and general officer quarters to $25,000 per year without prior notification to the committees of Congress. And an annual report is required on all operations and maintenance expenditures for each individual quarters. The Senate bill contained a similar provision.

The conference agreement includes a provision renumbered Section 129, as proposed by the House and Senate, amended to amend the 1999 Emergency Supplemental Appropriations Act to allow the Department of Defense to transfer military construction funding to the North Atlantic Treaty Organization Security Investment Program, and to allow any funds transferred to remain available until expended.

The conference agreement includes a provision renumbered Section 130, as proposed by the House, amended to direct that the Army, Navy, Marine Corps and Air Force submit to the appropriate committees of Congress, by July 1, 2000, a Family Housing Master Plan. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered Section 131, as proposed by the Senate amended to require the Secretary of Defense to certify that the Department of Defense intends to proceed with the demonstration of six alternative technologies to chemical weapons incineration before constructing the chemical demilitarization facility at Bluegrass, Kentucky. Pending the Secretary's certification this allows the planning, design and site preparation of the facility and the testing of the alternatives to proceed concurrently. The House bill contained no similar provision.

Those general provisions that are not included in the conference agreement follow:

The conference agreement deletes the Senate provision which prohibits the use of funds for repair and maintenance of any flag and general officer quarters in excess of $25,000 without prior notification to the congressional defense committees.

The conference agreement deletes the Senate provision which reduced various accounts in this Act by five percent.

The conference agreement deletes the Senate provision restricting the conveyance of land at the former Fort Sheridan, Illinois.

The conference agreement deletes the House provision which reduced various accounts in this Act.

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| ALABAMA | | |
| ARMY | | |
| ANNISTON ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE VII).. | 7,000 | --- |
| REDSTONE ARSENAL | | |
| TEST MEASUREMENT LAB/SUPPORT FACILITY..... | --- | 9,800 |
| AIR FORCE | | |
| MAXWELL AFB | | |
| OFFICER TRAINING SCHOOL CADET DORMITORY..... | --- | 10,600 |
| DEFENSE-WIDE | | |
| ANNISTON ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE VII).. | --- | 7,000 |
| AIR NATIONAL GUARD | | |
| BIRMINGHAM ANGB | | |
| BASE ENGINEER MAINTENANCE COMPLEX..... | --- | 4,200 |
| DANNELLY FIELD | | |
| MEDICAL TRAINING AND DINING FACILITY..... | --- | 6,000 |
| TOTAL, ALABAMA..... | 7,000 | 37,600 |
| ALASKA | | |
| ARMY | | |
| FORT RICHARDSON | | |
| WHOLE BARRACKS COMPLEX RENEWAL..... | 2,200 | 14,600 |
| FORT WAINWRIGHT | | |
| EMISSION REDUCTION FACILITY..... | 2,300 | 15,500 |
| MOUT COLLECTIVE TRAINING FACILITY..... | --- | 17,000 |
| AMMUNITION SURVEILLANCE FACILITY..... | --- | 2,300 |
| AIR FORCE | | |
| EIELSON AFB | | |
| REPAIR KC-135 PARKING RAMP..... | 941 | 4,000 |
| REPAIR RUNWAY..... | 3,334 | 14,000 |
| WEAPONS RELEASE SYSTEM FACILITY..... | 1,451 | 6,100 |
| ELMENDORF AFB | | |
| ALTER ROADWAY DAVIS HWY..... | --- | 9,500 |
| CONSTRUCT C-130 PARKING RAMP..... | 3,995 | 17,000 |
| DORMITORY..... | 3,727 | 15,800 |
| DEFENSE-WIDE | | |
| EIELSON AFB | | |
| HYDRANT FUEL SYSTEM..... | 9,000 | 26,000 |
| ELMENDORF AFB | | |
| HYDRANT FUEL SYSTEM..... | 4,700 | 23,500 |
| FORT WAINWRIGHT | | |
| HOSPITAL REPLACEMENT (PHASE I)..... | 18,000 | 18,000 |
| ARMY NATIONAL GUARD | | |
| FORT RICHARDSON | | |
| CSMS/MATES..... | 2,940 | 13,850 |
| AIR NATIONAL GUARD | | |
| KULIS ANGB | | |
| COMPOSITE SUPPORT COMPLEX..... | 2,170 | 10,000 |
| TOTAL, ALASKA..... | 54,758 | 207,150 |
| ARIZONA | | |
| ARMY | | |
| FORT HUACHUCA | | |
| WASTEWATER TREATMENT PLANT (PHASE I)..... | --- | 6,000 |
| NAVY | | |
| CAMP NAVAJO NAVY DETACHMENT | | |
| MAGAZINES MODERNIZATION..... | 1,910 | 7,560 |
| YUMA MARINE CORPS AIR STATION | | |
| CHILD DEVELOPMENT CENTER ADDITION..... | 640 | 2,620 |
| LAND ACQUISITION..... | 3,650 | 14,400 |
| AIR FORCE | | |
| DAVIS-MONTHAN AFB | | |
| AIRCRAFT PROCESSING RAMP..... | 1,847 | 7,800 |
| DEFENSE-WIDE | | |
| DAVIS MONTHAN AFB | | |
| ADD/ALTER AMBULATORY HEALTH CARE CENTER..... | 2,400 | 10,000 |
| TOTAL, ARIZONA..... | 10,447 | 48,380 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| ARKANSAS | | |
| ARMY | | |
| PINE BLUFF ARSENAL | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)... | 61,800 | --- |
| AIR FORCE | | |
| LITTLE ROCK AFB | | |
| C-130 SQUAD OPERATIONS/AIRCRAFT MAINT UNIT FAC.... | --- | 7,800 |
| DEFENSE-WIDE | | |
| PINE BLUFF ARSENAL | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE IV)... | --- | 61,800 |
| AIR NATIONAL GUARD | | |
| LITTLE ROCK AFB | | |
| VEHICLE/BASE ENGINE MAINTENANCE COMPLEX..... | 1,881 | 8,699 |
| AIR FORCE RESERVE | | |
| LITTLE ROCK AFB | | |
| ALTER AERIAL PORT TRAINING FACILITY..... | 209 | 800 |
| TOTAL, ARKANSAS..... | 63,890 | 79,099 |
| CALIFORNIA | | |
| ARMY | | |
| FORT IRWIN | | |
| LAND ACQUISITION (PHASE I)..... | --- | 19,000 |
| ROTATIONAL UNIT FACILITY MAINTENANCE AREA..... | 3,300 | 13,400 |
| PRESIDIO OF MONTEREY | | |
| GENERAL INSTRUCTION FACILITY..... | --- | 7,100 |
| NAVY | | |
| BARSTOW MARINE CORPS LOGISTICS BASE | | |
| TEST TRACK/TEST POND FACILITY..... | 1,150 | 4,670 |
| CAMP PENDLETON MARINE CORPS BASE | | |
| ARMORY..... | 660 | 2,620 |
| BACHELOR ENLISTED QUARTERS..... | 2,390 | 9,740 |
| INTEGRATED COMMUNICATIONS HUB..... | 960 | 3,810 |
| MARINE EXPEDITIONARY FORCE OPS/COMMAND CENTER..... | --- | 6,800 |
| STAFF NON-COMMISSIONED OFFICER'S ACADEMY..... | 1,640 | 6,480 |
| TACTICAL VEHICLE MAINTENANCE FACILITY..... | 2,210 | 9,010 |
| CORONA NAVAL SURFACE WARFARE CENTER | | |
| MEASUREMENT SCIENCE LABORATORY..... | --- | 7,070 |
| LEMOORE NAVAL AIR STATION | | |
| AIRCRAFT ORDNANCE LOADING FACILITIES..... | 3,010 | 11,900 |
| AVIATION ARMAMENT FACILITY..... | 1,460 | 5,800 |
| ENGINE MAINTENANCE SHOP ADDITION..... | 600 | 2,360 |
| NEW GYMNASIUM FACILITIES..... | --- | 16,000 |
| STRIKE FIGHTER WEAPONS TRAINING FACILITY..... | 1,000 | 3,960 |
| NAVAL POSTGRADUATE SCHOOL (MONTEREY) | | |
| GYMNASIUM..... | --- | 5,100 |
| NORTH ISLAND NAVAL AIR STATION | | |
| BERTHING WHARF (PHASE I)..... | 40,760 | 40,760 |
| SAN DIEGO MARINE CORPS RECRUIT DEPOT | | |
| PHYSICAL FITNESS CENTER ADDITION..... | 810 | 3,200 |
| SAN DIEGO NAVAL MEDICAL CENTER | | |
| BACHELOR ENLISTED QUARTERS MODERNIZATION..... | 5,470 | 21,590 |
| TWENTYNINE PALMS MARINE CORPS BASE | | |
| BACHELOR ENLISTED QUARTERS..... | 4,840 | 19,130 |
| CAST TRAINER ADDITION..... | 420 | 1,670 |
| TACTICAL VEHICLE MAINTENANCE FACILITY..... | 3,420 | 13,960 |
| TWENTYNINE PALMS NAVAL HOSPITAL | | |
| BACHELOR ENLISTED QUARTERS..... | 1,930 | 7,640 |
| AIR FORCE | | |
| BEALE AFB | | |
| FLIGHTLINE FIRE STATION..... | 2,086 | 8,900 |
| EDWARDS AFB | | |
| CONSTRUCT SPURS SOUTH BASE..... | --- | 5,500 |
| TRAVIS AFB | | |
| ADD TO PHYSICAL FITNESS CENTER..... | 1,754 | 7,500 |
| DEFENSE-WIDE | | |
| CORONADO NAVAL AMPHIBIOUS BASE | | |
| NAVAL SPECIAL WARFARE C2 ADDITION..... | 2,272 | 6,000 |
| LOS ANGELES AIR FORCE BASE | | |
| MEDICAL/DENTAL CLINIC REPLACEMENT..... | 2,400 | 13,600 |
| PRESIDIO OF MONTEREY | | |
| DOD CENTER RENOVATION..... | 6,712 | 28,000 |
| TRAVIS AIR FORCE BASE | | |
| WAR READINESS MATERIALS WAREHOUSE/ENGINEERING SUPP | 2,000 | 7,500 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| AIR NATIONAL GUARD | | |
| FRESNO ANGS | | |
| OPERATIONS TRAINING AND DINING FACILITY | --- | 9,100 |
| MOFFETT FIELD | | |
| REPLACE AIRCRAFT MAINTENANCE HANGAR | 3,033 | 14,000 |
| NAVY RESERVE | | |
| CAMP PENDLETON MARINE CORPS RESERVE CENTER | | |
| RESERVE TRAINING COMPLEX | 1,649 | 9,940 |
| TOTAL, CALIFORNIA | 97,936 | 352,810 |
| COLORADO | | |
| ARMY | | |
| FORT CARSON | | |
| MOBILIZATION MATERIAL WAREHOUSE | --- | 4,400 |
| PETERSON AFB | | |
| US ARMY SPACE COMMAND HEADQUARTERS | 3,700 | 25,000 |
| PUEBLO DEPOT ACTIVITY | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE I) | 11,800 | --- |
| AIR FORCE | | |
| PETERSON AFB | | |
| FIRE/CRASH RESCUE STATION | --- | 7,000 |
| USSPACECOM/NORAD HEADQUARTERS | 7,887 | 33,000 |
| SCHRIEVER AFB | | |
| CHILD DEVELOPMENT CENTER | --- | 6,700 |
| PHYSICAL FITNESS CENTER | 929 | 3,900 |
| SANITARY SEWER LINE | 1,296 | 5,500 |
| US AIR FORCE ACADEMY | | |
| UPGRADE ACADEMIC FACILITY | 4,056 | 17,500 |
| DEFENSE-WIDE | | |
| PUEBLO ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE I) | --- | 11,800 |
| TOTAL, COLORADO | 29,668 | 114,800 |
| CONNECTICUT | | |
| ARMY RESERVE | | |
| WEST HARTFORD | | |
| ADD/ALTER RESERVE CENTER | --- | 17,525 |
| DELAWARE | | |
| AIR FORCE | | |
| DOVER AFB | | |
| VISITORS QUARTERS | --- | 12,000 |
| DISTRICT OF COLUMBIA | | |
| ARMY | | |
| FORT MCNAIR | | |
| CHAPEL | 380 | 1,250 |
| WALTER REED ARMY MEDICAL CENTER | | |
| PHYSICAL FITNESS TRAINING CENTER | 1,020 | 6,800 |
| NAVY | | |
| MARINE CORPS BARRACKS, 8TH & I STREETS | | |
| SITE IMPROVEMENTS | --- | 4,000 |
| TOTAL, DISTRICT OF COLUMBIA | 1,400 | 12,050 |
| FLORIDA | | |
| NAVY | | |
| JACKSONVILLE (BLOUNT ISLAND) | | |
| LAND ACQUISITION (PHASE I) | --- | 5,000 |
| MAYPORT NAVAL STATION | | |
| HARBOR OPERATIONS/SMALL CRAFT BERTH | --- | 9,560 |
| WHITING FIELD NAVAL AIR STATION | | |
| JPATS T-6A TRAINER FACILITY | 1,200 | 4,750 |
| POWER CHECK PAD/APRON MODIFICATIONS | --- | 600 |
| AIR FORCE | | |
| EGLIN AFB | | |
| DINING FACILITY | --- | 4,700 |
| DORMITORY | 1,635 | 7,000 |
| SQUADRON OPERATIONS FACILITY | 1,566 | 6,600 |
| EGLIN AFB AUXILIARY FIELD 9 | | |
| DORMITORY | 2,161 | 9,100 |
| REPAIR RUNWAY/TAXIWAY | 2,269 | 9,700 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| MACDILL AFB | | |
| ADD/ALTER PHYSICAL FITNESS CENTER | 1,302 | 5,500 |
| MISSION PLANNING CENTER (PHASE I) | --- | 10,000 |
| PATRICK AFB | | |
| AIR FREIGHT/PASSENGER TERMINAL FACILITY | 1,967 | 8,300 |
| BASE SUPPLY/TRAFFIC MANAGEMENT COMPLEX | 2,238 | 9,500 |
| TYNDALL AFB | | |
| UPGRADE AIRFIELD | --- | 10,800 |
| DEFENSE-WIDE | | |
| JACKSONVILLE NAVAL AIR STATION | | |
| ADD/ALTER BRANCH MEDICAL/DENTAL CLINIC | 780 | 3,780 |
| PATRICK AFB | | |
| MEDICAL LOGISTICS FACILITY REPLACEMENT | 200 | 1,750 |
| PENSACOLA NAVAL AIR STATION | | |
| AIRCREW WATER SURVIVAL TRAINING FACILITY | 1,300 | 4,300 |
| ARMY NATIONAL GUARD | | |
| PENSACOLA | | |
| READINESS CENTER | --- | 4,628 |
| ARMY RESERVE | | |
| ORLANDO | | |
| LAND ACQUISITION, JOINT RESERVE COMPLEX | 690 | 690 |
| AIR FORCE RESERVE | | |
| HOMESTEAD ARB | | |
| FIRE FIGHTER TRAINING FACILITY | 524 | 2,000 |
| FIRE STATION | --- | 2,950 |
| TOTAL, FLORIDA | 17,832 | 121,208 |
| GEORGIA | | |
| ARMY | | |
| FORT BENNING | | |
| AMMUNITION HOLDING AREA | 420 | 1,400 |
| WHOLE BARRACKS COMPLEX RENEWAL (PHASE I) | 7,100 | 21,000 |
| FORT STEWART | | |
| CONTINGENCY LOGISTICS FACILITY | --- | 18,500 |
| MULTI-PURPOSE TRAINING RANGE | 1,100 | 7,200 |
| WHOLE BARRACKS COMPLEX RENEWAL W/ DINING (PHASE I) | 7,000 | 20,000 |
| NAVY | | |
| ALBANY MARINE CORPS LOGISTICS BASE | | |
| ENGINEERING EQUIPMENT SHOP | 1,540 | 6,260 |
| AIR FORCE | | |
| FORT BENNING | | |
| AIR SUPPORT OPERATIONS SQUADRON FACILITY | 911 | 3,900 |
| MOODY AFB | | |
| SQUADRON OPERATIONS FACILITY | 763 | 3,200 |
| TAXIWAY | --- | 2,750 |
| ROBINS AFB | | |
| KC-135 FLIGHT SIMULATOR FACILITY | 789 | 3,350 |
| DEFENSE-WIDE | | |
| FORT BENNING | | |
| REGIMENTAL COMMAND AND CONTROL FACILITY | 2,272 | 10,200 |
| MOODY AFB | | |
| WAR READINESS MATERIALS WAREHOUSE/BIOENVIRONMENTAL ENGINEERING FACILITY | 200 | 1,250 |
| AIR NATIONAL GUARD | | |
| SAVANNAH INTERNATIONAL AIRPORT | | |
| COMPOSITE SUPPORT COMPLEX | 2,116 | 9,800 |
| REGIONAL FIRE TRAINING FACILITY | 368 | 1,700 |
| ARMY RESERVE | | |
| FORT GILLEM | | |
| USAR CENTER/ORGANIZATIONAL MAINTENANCE SHOP/DIRECT SUPPORT/WAREHOUSE | 3,610 | 22,121 |
| AIR FORCE RESERVE | | |
| DOBBINS AFB | | |
| ADD/ALTER FACILITY FOR C130-H AIRCREW TRAINING | 558 | 2,130 |
| ROBINS AFB | | |
| ADD/ALTER AIR FORCE RESERVE COMMAND HEADQUARTERS AND ALTERNATE TANKER AIRLIFT CONTROL CENTER | 3,666 | 14,000 |
| TOTAL, GEORGIA | 32,413 | 148,761 |
| HAWAII | | |
| ARMY | | |
| SCHOFIELD BARRACKS | | |
| WHOLE BARRACKS COMPLEX RENEWAL (PHASE I) | 14,200 | 25,000 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| NAVY | | |
| CAMP H.M. SMITH | | |
| CINCPAC HEADQUARTERS (PHASE I) | 15,870 | 15,870 |
| KANEOHE BAY MARINE CORPS AIR STATION | | |
| CONTROL TOWER AND AIR TRAFFIC CONTROL FACILITY | 1,460 | 5,790 |
| PEARL HARBOR NAVAL SHIPYARD | | |
| ABRASIVE BLAST AND PAINT FACILITY | 2,690 | 10,610 |
| PEARL HARBOR NAVAL STATION | | |
| BACHELOR ENLISTED QUARTERS MODERNIZATION | 4,720 | 18,600 |
| PEARL HARBOR NAVAL SUBMARINE BASE | | |
| BERTHING WHARF | 7,470 | 29,460 |
| AIR FORCE | | |
| HICKAM AFB | | |
| FIRE TRAINING FACILITY | 785 | 3,300 |
| ARMY NATIONAL GUARD | | |
| BELLOWS AFS | | |
| REGIONAL TRAINING INSTITUTE (PHASE II) | --- | 12,105 |
| TOTAL, HAWAII | 47,195 | 120,735 |
| IDAHO | | |
| NAVY | | |
| BAYVIEW NAVAL SURFACE WEAPONS CENTER | | |
| UNDERWATER EQUIPMENT LABORATORY | 2,540 | 10,040 |
| AIR FORCE | | |
| MOUNTAIN HOME AFB | | |
| DEFENSE ACCESS ROAD | 564 | 2,400 |
| ENHANCED TRAINING RANGE (PHASE II) | 3,487 | 14,600 |
| AIR NATIONAL GUARD | | |
| BOISE AIRPORT (GOWEN FIELD) | | |
| A-10 EXPAND ARM/DISARM APRON | 350 | 1,600 |
| FUEL CELL & CORROSION CONTROL HANGER | --- | 2,300 |
| TOTAL, IDAHO | 6,941 | 30,940 |
| ILLINOIS | | |
| NAVY | | |
| GREAT LAKES NAVAL TRAINING CENTER | | |
| ALL WEATHER RUNNING TRACK | 354 | 1,380 |
| BACHELOR ENLISTED QUARTERS ("A" SCHOOL) | 7,700 | 31,410 |
| DRILL HALL REPLACEMENT | 2,830 | 11,190 |
| RECRUIT IN-PROCESS BARRACKS | 3,370 | 13,310 |
| ARMY NATIONAL GUARD | | |
| MARSEILLES | | |
| BATTALION TRAINING COMPLEX | 2,325 | 10,952 |
| TOTAL, ILLINOIS | 16,579 | 68,242 |
| INDIANA | | |
| ARMY | | |
| NEWPORT ARMY AMMUNITION PLANT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE II) | 61,200 | --- |
| NAVY | | |
| CRANE NAVAL SURFACE WARFARE CENTER | | |
| STRATEGIC WEAPONS SYSTEMS ENGINEERING FACILITY | --- | 7,270 |
| DEFENSE-WIDE | | |
| NEWPORT ARMY AMMUNITION PLANT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE II) | --- | 61,200 |
| ARMY NATIONAL GUARD | | |
| CAMP ATTERBURY | | |
| WATER SYSTEM IMPROVEMENTS | --- | 7,598 |
| AIR NATIONAL GUARD | | |
| FORT WAYNE | | |
| MEDICAL TRAINING FACILITY/DINING HALL | --- | 7,200 |
| AIR FORCE RESERVE | | |
| GRISSOM ARB | | |
| SERVICES COMPLEX (PHASE I) | --- | 10,800 |
| TOTAL, INDIANA | 61,200 | 94,068 |
| IOWA | | |
| AIR NATIONAL GUARD | | |
| SIOUX GATEWAY AIRPORT | | |
| VEHICLE MAINTENANCE COMPLEX | --- | 3,600 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| KANSAS | | |
| ARMY | | |
| FORT LEAVENWORTH | | |
| US DISCIPLINARY BARRACKS (PHASE III) | 18,800 | 18,800 |
| WATER TREATMENT PLANT | 1,200 | 8,100 |
| WHOLE BARRACKS COMPLEX RENEWAL | 3,900 | 26,000 |
| FORT RILEY | | |
| WHOLE BARRACKS RENOVATION (PHASE I) | --- | 13,000 |
| AIR FORCE | | |
| MCCONNELL AFB | | |
| KC-135 SQUAD OPERATIONS/AIRCRAFT MAINTENANCE UNIT. | 2,280 | 9,600 |
| DEFENSE-WIDE | | |
| FORT RILEY | | |
| CONSOLIDATED TROOP MEDICAL CLINIC | 1,060 | 6,000 |
| AIR NATIONAL GUARD | | |
| MCCONNELL AFB | | |
| B-1 AIRCRAFT LIVE MUNITIONS LOADING RAMP | --- | 9,300 |
| TOTAL, KANSAS | 27,240 | 90,800 |
| KENTUCKY | | |
| ARMY | | |
| BLUEGRASS ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILTIY (PHASE I) | 11,800 | --- |
| AMMUNITION DEMILITARIZATION SUPPORT | 11,000 | --- |
| AMMUNITION SURVEILLANCE FACILITY | 900 | 6,000 |
| FORT CAMPBELL | | |
| MOUT TRAINING COMPLEX | 2,150 | 14,400 |
| PHYSICAL FITNESS TRAINING CENTER | 900 | 6,000 |
| SABRE HELIPORT IMPROVEMENTS | 2,475 | 19,500 |
| WHOLE BARRACKS COMPLEX RENEWAL (PHASE II) | 4,800 | 22,000 |
| VEHICLE MAINTENANCE FACILITY | --- | 17,000 |
| FORT KNOX | | |
| AUTOMATED RECORD FIRE RANGE | --- | 1,300 |
| MULTI-PURPOSE DIGITAL TRAINING RANGE (PHASE II) | 2,400 | 7,000 |
| AIR FORCE | | |
| FORT CAMPBELL | | |
| AIR SUPPORT OPERATIONS SQUADRON FACILITY | 1,472 | 6,300 |
| DEFENSE-WIDE | | |
| BLUE GRASS ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE I) | --- | 11,800 |
| AMMUNITION DEMILITARIZATION SUPPORT | --- | 11,000 |
| TOTAL, KENTUCKY | 37,897 | 122,300 |
| LOUISIANA | | |
| ARMY | | |
| FORT POLK | | |
| CONSOLIDATED RANGE OPERATIONS/WAREHOUSE FACILITY | --- | 6,700 |
| AIR NATIONAL GUARD | | |
| BELLE CHASE NAVAL AIR STATION | | |
| AMMUNITION STORAGE IGLOO | --- | 1,350 |
| TOTAL, LOUISIANA | --- | 8,050 |
| MAINE | | |
| NAVY | | |
| BRUNSWICK NAVAL AIR STATION | | |
| BACHELOR ENLISTED QUARTERS REPLACEMENT | 4,270 | 16,890 |
| MARYLAND | | |
| ARMY | | |
| ABERDEEN PROVING GROUND | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE II) | 66,600 | --- |
| FORT MEADE | | |
| MILITARY ENTRANCE PROCESSING STATION | 1,350 | 4,450 |
| WHOLE BARRACKS COMPLEX RENEWAL | 2,700 | 18,000 |
| NAVY | | |
| INDIAN HEAD NAVAL SURFACE WARFARE CENTER DIVISION | | |
| SEWAGE TREATMENT PLANT | 2,550 | 10,070 |
| PATUXENT RIVER NAVAL AIR WARFARE CENTER | | |
| AIRCRAFT/SHIPS SYSTEMS INTEGRATION LABORATORIES | --- | 3,060 |
| INDOOR FIRING RANGE | --- | 1,500 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| AIR FORCE | | |
| ANDREWS AFB | | |
| SQUADRON OPERATIONS FACILITY | --- | 9,900 |
| DEFENSE-WIDE | | |
| ABERDEEN PROVING GROUND | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE II) | --- | 66,600 |
| ANDREWS AFB | | |
| ADD/ALTER MEDICAL LOGISTICS FACILITY | 2,000 | 3,000 |
| FORT MEADE | | |
| PERIMETER FENCE (EAST) | 903 | 903 |
| RECONFIGURE OPS1 CHILLED WATER | 2,043 | 2,043 |
| PATUXENT RIVER NAVAL AIR STATION | | |
| AIRCREW WATER SURVIVAL TRAINING FACILITY | 1,200 | 4,150 |
| ARMY RESERVE | | |
| CURTIS BAY | | |
| ADD/ALTER USARC/MARINE AMSA | --- | 5,000 |
| TOTAL, MARYLAND | 79,346 | 128,676 |
| MASSACHUSETTS | | |
| ARMY | | |
| WESTOVER AFB | | |
| MILITARY ENTRANCE PROCESSING STATION | 1,200 | 4,000 |
| AIR FORCE | | |
| HANSCOM AFB | | |
| ACQUISITION MANAGEMENT FACILITY RENOVATION | --- | 16,000 |
| ARMY NATIONAL GUARD | | |
| BARNES ANGB (WESTFIELD) | | |
| ARMY AVIATION SUPPORT FACILITY #2 | --- | 3,933 |
| AIR NATIONAL GUARD | | |
| BARNES ANGB | | |
| BASE SUPPLY COMPLEX | --- | 5,900 |
| AIR FORCE RESERVE | | |
| WESTOVER ARB | | |
| CONTROL TOWER | --- | 4,250 |
| TOTAL, MASSACHUSETTS | 1,200 | 34,083 |
| MICHIGAN | | |
| AIR NATIONAL GUARD | | |
| CAMP GRAYLING | | |
| AIR GROUND RANGE SUPPORT FACILITY | --- | 5,800 |
| SELFRIDGE ANGB | | |
| REPLACE FIRE CRASH/RESCUE STATION | --- | 7,400 |
| TOTAL, MICHIGAN | --- | 13,200 |
| MINNESOTA | | |
| AIR FORCE RESERVE | | |
| MINNEAPOLIS/ST PAUL AIR RESERVE STATION | | |
| CONSOLIDATED LODGING FACILITY (PHASE II) | --- | 8,140 |
| MISSISSIPPI | | |
| NAVY | | |
| GULFPORT NAVAL CONSTRUCTION BATTALION CENTER | | |
| BACHELOR ENLISTED QUARTERS MODERNIZATION | 3,260 | 12,860 |
| GULFPORT NAVAL CONSTRUCTION TRAINING CENTER | | |
| BACHELOR ENLISTED QUARTERS RENOVATION | 1,600 | 6,310 |
| MERIDIAN NAVAL AIR STATION | | |
| ADMINISTRATIVE BUILDING | --- | 7,280 |
| AIR FORCE | | |
| COLUMBUS AFB | | |
| ADD TO T-1A HANGER | --- | 2,600 |
| KEESLER AFB | | |
| C-130J SIMULATOR FACILITY | --- | 8,900 |
| STUDENT DINING FACILITY | 1,686 | 7,100 |
| STUDENT DORMITORY | 4,679 | 19,900 |
| DEFENSE-WIDE | | |
| MISSISSIPPI ARMY AMMUNITION PLANT | | |
| SMALL CRAFT TRAINING COMPLEX | 9,600 | 9,600 |
| ARMY NATIONAL GUARD | | |
| CAMP SHELBY | | |
| MULTI-PURPOSE RANGE COMPLEX, HEAVY (PHASE III) | --- | 14,800 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| VICKSBURG | | |
| READINESS CENTER | --- | 5,914 |
| AIR NATIONAL GUARD | | |
| JACKSON INTERNATIONAL AIRPORT | | |
| C-17 SIMULATOR BUILDING | --- | 3,600 |
| TOTAL, MISSISSIPPI | 20,825 | 98,864 |
| MISSOURI | | |
| ARMY | | |
| FORT LEONARD WOOD | | |
| ACCESS ROAD | --- | 16,500 |
| WOLVERINE/GRIZZLY SIMULATOR FACILITY | 1,600 | 10,600 |
| AIR FORCE | | |
| WHITEMAN AFB | | |
| B-2 LOW OBSERVABLE RESTORATION FACILITY | 5,428 | 23,000 |
| PHYSICAL FITNESS CENTER | 447 | 1,900 |
| ARMY NATIONAL GUARD | | |
| SEDALIA | | |
| READINESS CENTER | --- | 3,774 |
| AIR NATIONAL GUARD | | |
| ROSENCRANS MEMORIAL AIRPORT | | |
| UPGRADE AIRCRAFT PARKING APRON (PHASE II) | --- | 9,000 |
| TOTAL, MISSOURI | 7,475 | 64,774 |
| MONTANA | | |
| AIR FORCE | | |
| MALMSTROM AFB | | |
| DORMITORY | --- | 11,600 |
| ARMY NATIONAL GUARD | | |
| GREAT FALLS | | |
| READINESS CENTER | --- | 4,700 |
| AIR NATIONAL GUARD | | |
| GREAT FALLS INTERNATIONAL AIRPORT | | |
| BASE SUPPLY WAREHOUSE | --- | 1,450 |
| TOTAL, MONTANA | --- | 17,750 |
| NEBRASKA | | |
| AIR FORCE | | |
| OFFUTT AFB | | |
| DORMITORY | 1,941 | 8,300 |
| NEVADA | | |
| ARMY | | |
| HAWTHORNE ARMY DEPOT | | |
| CONTAINER REPAIR FACLIITY | --- | 1,700 |
| AIR FORCE | | |
| NELLIS AFB | | |
| F-22 AIRCRAFT MAINTENANCE HANGAR | 1,859 | 7,800 |
| F-22 COMPOSITE AND FABRICATION SHOP | 1,756 | 7,500 |
| F-22 PARTS WAREHOUSE AND OPERATIONS ADDITION | 773 | 3,300 |
| LAND ACQUISITION | --- | 11,600 |
| TOTAL, NEVADA | 4,388 | 31,900 |
| NEW HAMPSHIRE | | |
| AIR NATIONAL GUARD | | |
| PEASE TRADE PORT | | |
| UPGRADE KC-135 PARKING APRON | --- | 9,600 |
| NEW JERSEY | | |
| ARMY | | |
| PICATINNY ARSENAL | | |
| ARMAMENT SOFTWARE ENGINEERING CENTER (PHASE I) | --- | 9,900 |
| NAVY | | |
| EARLE NAVAL WEAPONS STATION | | |
| SECURITY IMPROVEMENTS | --- | 1,250 |
| LAKEHURST NAVAL AIR WARFARE CENTER | | |
| AIRCRAFT/PLATFORM INTERFACE LABORATORY | 3,970 | 15,710 |
| AIR FORCE | | |
| MCGUIRE AFB | | |
| VISITING QUARTERS | 2,765 | 11,800 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| ARMY NATIONAL GUARD | | |
| FORT DIX | | |
| TRAINING/TRAINING TECHNOLOGY BATTLE LAB (PHASE II) | --- | 10,015 |
| ARMY RESERVE | | |
| FORT DIX | | |
| CENTRALIZED TACTICAL VEHICLE WASH FACILITY..... | 1,607 | 5,624 |
| TOTAL, NEW JERSEY..... | 8,342 | 54,299 |
| NEW MEXICO | | |
| AIR FORCE | | |
| KIRTLAND AFB | | |
| REPAIR APRONS (PHASE I)..... | --- | 14,000 |
| CANNON AFB | | |
| REPAIR RUNWAY #2204..... | --- | 8,100 |
| AIR NATIONAL GUARD | | |
| KIRTLAND AFB | | |
| COMPOSITE SUPPORT COMPLEX..... | --- | 9,700 |
| TOTAL, NEW MEXICO..... | --- | 31,800 |
| NEW YORK | | |
| ARMY | | |
| FORT DRUM | | |
| CONSOLIDATED SOLDIER/FAMILY SUPPORT CNTR (PHASE I) | --- | 12,000 |
| UNITED STATES MILITARY ACADEMY | | |
| CADET PHYSICAL DEVELOPMENT CENTER (PHASE II)..... | 28,500 | 14,000 |
| AIR FORCE | | |
| ROME RESEARCH SITE | | |
| CONSOLIDATE INTELLIGENCE AND RECONNAISSANCE LAB... | 3,002 | 12,800 |
| AIR NATIONAL GUARD | | |
| HANCOCK FIELD ANGB | | |
| COMM-ELECTRONICS TRAINING/ASE COMPLEX..... | --- | 8,900 |
| ARMY RESERVE | | |
| FORT WADSWORTH | | |
| ADD/ALTER USAR CENTER/ORGANIZATIONAL MAINTENANCE SHOP/AREA MAINT SUPPORT ACTIVITY (PHASE II)..... | 2,066 | 5,786 |
| AIR FORCE RESERVE | | |
| NIAGRA FALLS AIR RESERVE STATION | | |
| VISITING OFFICERS QUARTERS..... | --- | 6,300 |
| TOTAL, NEW YORK..... | 33,568 | 59,786 |
| NORTH CAROLINA | | |
| ARMY | | |
| FORT BRAGG | | |
| HEAVY DROP RIGGING FACILITY..... | 4,500 | 30,000 |
| MOUT TRAINING COMPLEX (PHASE II)..... | 5,600 | 7,000 |
| UPGRADE BARRACKS/D-AREA (PHASE III)..... | --- | 14,400 |
| WHOLE BARRACKS COMPLEX RENEWAL (PHASE I)..... | 16,508 | 16,508 |
| SUNNY POINT MILITARY OCEAN TERMINAL | | |
| AMMUNITION SURVEILLANCE FACILITY..... | 550 | 3,800 |
| NAVY | | |
| CAMP LEJEUNE MARINE CORPS BASE | | |
| MAINTENANCE AND OPERATIONS FACILITY..... | 2,120 | 8,400 |
| PHYSICAL FITNESS CENTER..... | 1,070 | 4,230 |
| ROAD AND UTILITY CONSTRUCTION..... | 2,140 | 8,750 |
| NEW RIVER MARINE CORPS AIR STATION | | |
| AIRCRAFT TAXIWAY ADDITION..... | 130 | 520 |
| FAMILY SERVICES CENTER..... | 330 | 1,340 |
| PROPERTY CONTROL FACILITY..... | 910 | 3,610 |
| AIR FORCE | | |
| FORT BRAGG | | |
| AIR SUPPORT OPERATIONS GROUP FACILITY..... | 1,076 | 4,600 |
| POPE AFB | | |
| DANGEROUS CARGO PAD..... | 1,802 | 7,700 |
| DEFENSE-WIDE | | |
| CAMP LEJEUNE MCB | | |
| TARAWA TERRACE II ELEMENTARY SCHOOL..... | 2,387 | 10,570 |
| CHERRY POINT MARINE CORPS AIR STATION | | |
| AIRCREW WATER SURVIVAL TRAINING FACILITY..... | 1,000 | 3,500 |
| FORT BRAGG | | |
| BATTALION OPERATIONS COMPLEX..... | 2,272 | 18,600 |
| DEPLOYABLE EQUIPMENT FACILITY..... | 1,500 | 1,500 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| ARMY NATIONAL GUARD | | |
| CHARLOTTE | | |
| ORGANIZATIONAL MAINTENANCE SHOP | 912 | 4,297 |
| READINESS CENTER | 1,504 | 7,087 |
| TOTAL, NORTH CAROLINA | 46,311 | 156,412 |
| NORTH DAKOTA | | |
| AIR FORCE | | |
| GRAND FORKS AFB | | |
| PARKING APRON EXTENSION | --- | 9,500 |
| OHIO | | |
| AIR FORCE | | |
| WRIGHT-PATTERSON AFB | | |
| CONSOLIDATE AEROSPACE STRUCTURES RESEARCH LAB | --- | 17,500 |
| CONSOLIDATE AVIONICS RESEARCH LABORATORY | 3,230 | 13,600 |
| CONTROL TOWER | 934 | 4,000 |
| CONVERT TO PHYSICAL FITNESS CENTER | --- | 4,600 |
| DEFENSE-WIDE | | |
| WRIGHT-PATTERSON AFB | | |
| OCCUPATIONAL HEATH CLINIC/BIOENVIRONMENTAL ENGINEERING REPLACEMENT | 2,800 | 3,900 |
| AIR NATIONAL GUARD | | |
| MANSFIELD LAHM AIRPORT | | |
| REPLACE SECURITY FORCES COMPLEX | --- | 2,700 |
| SPRINGFIELD-BECKLEY MUNICIPAL AIRPORT | | |
| F-16 SQUADRON OPS FLIGHT TRAINING COMPLEX | --- | 6,700 |
| TOLEDO EXPRESS AIRPORT | | |
| UPGRADE MAINTENANCE COMPLEX | --- | 8,400 |
| NAVY RESERVE | | |
| COLUMBUS AFB | | |
| RESERVE CENTER ADDITION | --- | 3,541 |
| AIR FORCE RESERVE | | |
| YOUNGSTOWN AIR RESERVE STATION | | |
| APRON RUNOFF/STORM WATER/DEICING COLLECTION SYSTEM | --- | 3,400 |
| TOTAL, OHIO | 6,964 | 68,341 |
| OKLAHOMA | | |
| ARMY | | |
| MCALESTER ARMY AMMUNITION PLANT | | |
| AMMUNITION ROAD INFRASTRUCTURE | 1,020 | 6,800 |
| FIRE STATION | 900 | 3,000 |
| RAILYARD INFRASTRUCTURE | 2,000 | 6,800 |
| FORT SILL | | |
| RAIL AND CONTAINERIZATION FACILITY | 2,000 | 13,200 |
| TACTICAL EQUIPMENT SHOP (PHASE I) | --- | 9,900 |
| AIR FORCE | | |
| TINKER AFB | | |
| AIR DRIVEN ACCESS OVERHAUL AND TEST FACILITY | 4,001 | 17,000 |
| DORMITORY | 1,602 | 6,800 |
| REPAIR AND UPGRADE RUNWAY | --- | 11,000 |
| VANCE AFB | | |
| UPGRADE CENTER RUNWAY | --- | 12,600 |
| AIR NATIONAL GUARD | | |
| TULSA INTERNATIONAL AIRPORT | | |
| COMPOSITE SUPPORT COMPLEX | --- | 10,800 |
| TOTAL, OKLAHOMA | 11,523 | 97,900 |
| OREGON | | |
| ARMY | | |
| UMATILLA ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE V) | 35,900 | --- |
| DEFENSE-WIDE | | |
| UMATILLA ARMY DEPOT | | |
| AMMUNITION DEMILITARIZATION FACILITY (PHASE V) | --- | 35,900 |
| ARMY NATIONAL GUARD | | |
| SALEM | | |
| ARMED FORCES RESERVE CENTER | --- | 15,255 |
| TOTAL, OREGON | 35,900 | 51,155 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| PENNSYLVANIA | | |
| ARMY | | |
| CARLISLE BARRACKS | | |
| WHOLE BARRACKS COMPLEX RENEWAL | 750 | 5,000 |
| LETTERKENNY ARMY DEPOT | | |
| AMMUNITION CONTAINERIZATION COMPLEX | 570 | 3,650 |
| NAVY | | |
| MECHANICSBURG NAVAL INVENTORY CONTROL POINT | | |
| WATER DISTRIBUTION SYSTEM IMPROVEMENTS | 760 | 2,990 |
| PHILADELPHIA NAVAL SHIPYARD | | |
| FOUNDRY CASTING PITS MODERNIZATION | --- | 13,320 |
| DEFENSE-WIDE | | |
| DEFENSE INDUSTRIAL SUPPLY CENTER | | |
| PUBLIC SAFETY CENTER | 867 | 5,000 |
| ARMY NATIONAL GUARD | | |
| CONNELLSVILLE | | |
| READINESS CENTER | --- | 1,700 |
| AIR NATIONAL GUARD | | |
| JOHNSTOWN ANGS | | |
| AIR TRAFFIC CONTROL TRAINING COMPLEX | --- | 6,200 |
| ARMY RESERVE | | |
| JOHNSTOWN | | |
| CONSOLIDATE AREA MAINTENANCE SUPPORT ACTIVITY | --- | 6,300 |
| NAVY RESERVE | | |
| WILLOW GROVE NAVAL AIR STATION | | |
| GROUND EQUIPMENT SHOP | --- | 600 |
| HAZARDOUS MATERIAL STORAGE FACILITY | 320 | 1,930 |
| TOTAL, PENNSYLVANIA | 3,267 | 46,690 |
| SOUTH CAROLINA | | |
| ARMY | | |
| FORT JACKSON | | |
| EMERGENCY SERVICES CENTER | 1,100 | 7,400 |
| NAVY | | |
| BEAUFORT MARINE CORPS AIR STATION | | |
| ARMORY FACILITY | 450 | 1,790 |
| CORROSION CONTROL FACILITY | 2,200 | 8,700 |
| JET ENGINE TEST CELL | --- | 7,800 |
| CHARLESTON NAVAL WEAPONS STATION | | |
| AIR TRAFFIC CONTROL ENGINEERING FACILITY | 1,930 | 7,640 |
| CHILD DEVELOPMENT CENTER | --- | 3,614 |
| AIR FORCE | | |
| CHARLESTON AFB | | |
| C-17 CORROSION CONTROL FACILITY | 4,389 | 18,200 |
| DEFENSE-WIDE | | |
| LAUREL BAY ISLAND | | |
| INTERMEDIATE SCHOOL ADDITION | 642 | 2,874 |
| AIR NATIONAL GUARD | | |
| MCENTIRE ANGS | | |
| CONTROL TOWER | --- | 8,000 |
| TOTAL, SOUTH CAROLINA | 10,711 | 66,018 |
| SOUTH DAKOTA | | |
| AIR FORCE | | |
| ELLSWORTH AFB | | |
| EDUCATION/LIBRARY CENTER | --- | 10,200 |
| TENNESSEE | | |
| AIR FORCE | | |
| ARNOLD AFB | | |
| UPGRADE JET ENGINE AIR INDUCT SYSTEM (PHASE III) | 1,851 | 7,800 |
| AIR NATIONAL GUARD | | |
| MCGHEE-TYSON ANGB | | |
| KC-135 HYDRANT REFUELING SYSTEM | --- | 9,500 |
| TOTAL, TENNESSEE | 1,851 | 17,300 |
| TEXAS | | |
| ARMY | | |
| FORT BLISS | | |
| AIR DEPLOYMENT FACILITY COMPLEX | 2,550 | 17,000 |
| AIRCRAFT LOADING APRON | 3,300 | 22,000 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| AMMUNITION HOT LOAD FACILITY | 1,700 | 11,400 |
| TACTICAL EQUIPMENT SHOP | --- | 1,950 |
| FORT HOOD | | |
| DEPLOYMENT READY REACTIVE FIELD AND TRAILS | 2,000 | 8,000 |
| FIXED WING AIRCRAFT PARKING APRON | 4,600 | 31,000 |
| FORCE XXI, SOLDIER DEVELOPMENT CENTER (PHASE II) | 14,000 | 14,000 |
| RAIL HEAD FACILITY (PHASE II) | 14,800 | 14,800 |
| SOLDIER SERVICE CENTER | --- | 16,500 |
| WHOLE BARRACKS COMPLEX RENEWAL | 4,350 | 29,000 |
| NAVY | | |
| INGLESIDE NAVAL STATION | | |
| OPERATIONAL SUPPORT FACILITY | --- | 11,780 |
| AIR FORCE | | |
| DYESS AFB | | |
| CHILD DEVELOPMENT CENTER | --- | 5,400 |
| LACKLAND AFB | | |
| DORMITORY | 1,257 | 5,300 |
| SECURITY FORCES CENTER | 1,893 | 8,100 |
| LAUGHLIN AFB | | |
| ADD/ALTER JPATS BEDDOWN VARIOUS FACILITIES | 766 | 3,250 |
| RANDOLPH AFB | | |
| CONTROL TOWER (WEST) | --- | 3,600 |
| DEFENSE-WIDE | | |
| FORT SAM HOUSTON | | |
| VETERINARY INSTRUCTIONAL FACILITY | 600 | 5,800 |
| AIR NATIONAL GUARD | | |
| KELLY AFB | | |
| F-16 ADD/ALTER SQUAD OPS/FLIGHT TRAINING FACILITY | --- | 9,700 |
| ARMY RESERVE | | |
| FORT HOOD | | |
| AREA MAINTENANCE SUPPORT ACTIVITY/EQUIPMENT CONCENTRATION SITE | 2,684 | 9,431 |
| NAVY RESERVE | | |
| FORT WORTH JRB | | |
| BACHELOR ENLISTED QUARTERS | --- | 6,000 |
| TOTAL, TEXAS | 54,500 | 234,011 |
| UTAH | | |
| ARMY | | |
| SALT LAKE | | |
| RED BUTTE DAM | --- | 6,000 |
| AIR FORCE | | |
| HILL AFB | | |
| CAD/PAD SPARES STORAGE FACILITY | 1,081 | 4,600 |
| AIR NATIONAL GUARD | | |
| SALT LAKE CITY INTERNATIONAL AIRPORT | | |
| OPERATIONS/TRAINING/SQUAD OPERATIONS COMPLEX | --- | 10,400 |
| NAVY RESERVE | | |
| CAMP WILLIAMS | | |
| MARINE CORPS RESERVE TRAINING CENTER ADDITION | 150 | 890 |
| TOTAL, UTAH | 1,231 | 21,890 |
| VERMONT | | |
| ARMY NATIONAL GUARD | | |
| NORTHFIELD | | |
| MULTIPURPOSE TRAINING FACILITY | --- | 8,652 |
| VIRGINIA | | |
| ARMY | | |
| FORT BELVOIR | | |
| FIRE STATION | 500 | 1,700 |
| MILITARY POLICE STATION | 640 | 2,150 |
| FORT EUSTIS | | |
| EDUCATION CENTER | --- | 4,800 |
| WHOLE BARRACKS COMPLEX RENEWAL | 5,800 | 39,000 |
| FORT MYER | | |
| PUBLIC SAFETY CENTER | 870 | 2,900 |
| FORT STORY | | |
| OFFSHORE BREAKWATER SYSTEM | --- | 8,000 |
| NAVY | | |
| DAM NECK FLEET COMBAT TRAINING CENTER | | |
| BACHELOR ENLISTED QUARTERS | 2,610 | 10,310 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| NORFOLK NAVAL STATION | | |
| BERTHING PIER (PHASE II) | 12,690 | 12,690 |
| PIER ELECTRICAL UPGRADES (PHASE II) | 4,720 | 18,660 |
| PIER REPLACEMENT | 8,600 | 40,000 |
| WATERFRONT ATHLETIC COMPLEX | 2,760 | 10,890 |
| NORFOLK NAVAL SHIPYARD | | |
| BACHELOR ENLISTED QUARTERS REPLACEMENT | 4,460 | 17,630 |
| OCEANA NAVAL AIR STATION | | |
| AIRCRAFT ACOUSTICAL ENCLOSURE | 2,910 | 11,490 |
| QUANTICO MARINE CORPS COMBAT DEVELOPMENT COMMAND | | |
| BACHELOR ENLISTED QUARTERS | 5,270 | 20,820 |
| YORKTOWN NAVAL WEAPONS STATION | | |
| TRESTLE REPLACEMENT AND PIER UPGRADE | 6,330 | 25,040 |
| AIR FORCE | | |
| LANGLEY AFB | | |
| DORMITORY | 1,486 | 6,300 |
| DEFENSE-WIDE | | |
| CHEATHAM ANNEX | | |
| FLEET HOSPITAL SUPPORT OFC CONTAINER HOLDING YARD | 500 | 1,650 |
| DAM NECK | | |
| MISSION SUPPORT FACILITY | 2,273 | 4,700 |
| NORFOLK NAVAL AIR STATION | | |
| AIRCREW WATER SURVIVAL TRAINING FACILITY | 1,150 | 4,050 |
| ARMY NATIONAL GUARD | | |
| FORT PICKETT | | |
| MULTIPURPOSE RANGE | --- | 13,500 |
| TOTAL, VIRGINIA | 63,569 | 256,280 |
| WASHINGTON | | |
| ARMY | | |
| FORT LEWIS | | |
| AMMUNITION SUPPLY POINT | 1,560 | 5,200 |
| PHYSICAL FITNESS TRAINING CENTER | 1,850 | 6,200 |
| TANK TRAIL EROSION MITIGATION - YAKIMA (PHASE V) | 2,000 | 12,000 |
| NAVY | | |
| BANGOR STRATEGIC WEAPONS FACILITY | | |
| D5 MISSILE SUPPORT FACILITY | 1,600 | 6,300 |
| KEYPORT NUWC | | |
| PIER REPLACEMENT | --- | 6,700 |
| PORT HADLOCK NAVAL ORDNANCE CENTER (PACIFIC) | | |
| TOMAHAWK MAGAZINE | 870 | 3,440 |
| PUGET SOUND NAVAL SHIPYARD | | |
| DREDGING | 3,950 | 15,610 |
| AIR FORCE | | |
| FAIRCHILD AFB | | |
| FLIGHTLINE SUPPORT FACILITY | --- | 9,100 |
| SURVIVAL TRAINING LOGISTICS COMPLEX | 1,071 | 4,500 |
| MCCHORD AFB | | |
| C-17 SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT | 1,858 | 7,900 |
| DEFENSE-WIDE | | |
| FAIRCHILD AFB | | |
| ADD TO HYDRANT FUEL SYSTEM | 1,500 | 12,400 |
| FORT LEWIS | | |
| NORTH DENTAL CLINIC REPLACEMENT | 4,950 | 5,500 |
| WHIDBEY ISLAND NAVAL AIR STATION | | |
| AIRCREW WATER SURVIVAL TRAINING FACILITY | 1,300 | 4,700 |
| ARMY NATIONAL GUARD | | |
| YAKIMA | | |
| MANEUVER AREA TRAINING EQUIPMENT SITE (PHASE I) | 3,464 | 16,316 |
| AIR NATIONAL GUARD | | |
| FAIRCHILD AFB | | |
| COMPOSITE SUPPORT COMPLEX | --- | 9,800 |
| AIR FORCE RESERVE | | |
| MCCHORD AFB | | |
| ADD/ALTER C-17 SQUADRON OPERATIONS AIRCRAFT MAINTENANCE UNIT FACILITY | 864 | 3,300 |
| TOTAL, WASHINGTON | 26,837 | 128,966 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| WEST VIRGINIA | | |
| ARMY NATIONAL GUARD | | |
| ELEANOR | | |
| MAINTENANCE COMPLEX | --- | 18,521 |
| READINESS CENTER | --- | 9,583 |
| TOTAL, WEST VIRGINIA | --- | 28,104 |
| WISCONSIN | | |
| AIR NATIONAL GUARD | | |
| VOLK FIELD | | |
| REPLACE TROOP TRAINING QUARTERS | 1,923 | 8,900 |
| CONUS CLASSIFIED | | |
| ARMY | | |
| CLASSIFIED LOCATIONS | | |
| CLASSIFIED PROJECT | 36,400 | 36,400 |
| AIR FORCE | | |
| CLASSIFIED LOCATION | | |
| AIR CONTROL SQUADRON OPERATIONS COMPLEX | 1,200 | 5,100 |
| CLASSIFIED PROJECT | 1,093 | 1,093 |
| CLASSIFIED PROJECT | 9,700 | 9,700 |
| SPECIAL TACTICAL UNIT DETACHMENT FACILITY | 244 | 977 |
| TOTAL, CONUS CLASSIFIED | 48,637 | 53,270 |
| ASCENSION ISLAND | | |
| AIR FORCE | | |
| ASCENSION ISLAND AUXILIARY AIR FIELD | | |
| GPS SATELLITE CONTROL STATION | 512 | 2,150 |
| BAHRAIN ISLAND | | |
| NAVY | | |
| ADMINISTRATIVE SUPPORT UNIT (SOUTHWEST ASIA) | | |
| BACHELOR ENLISTED QUARTERS (SECURITY FORCE) | 6,230 | 24,550 |
| BACHELOR ENLISTED QUARTERS (TRANSIENT) | 5,840 | 23,770 |
| OPERATIONS CONTROL CENTER | 8,550 | 34,770 |
| TOTAL, BAHRAIN ISLAND | 20,620 | 83,090 |
| DIEGO GARCIA | | |
| NAVY | | |
| DIEGO GARCIA NAVY SUPPORT FACILITY | | |
| AIRCRAFT INTERMEDIATE MAINTENANCE FACILITY | 2,070 | 8,150 |
| GERMANY | | |
| ARMY | | |
| ANSBACH | | |
| WHOLE BARRACKS COMPLEX RENEWAL | 3,150 | --- |
| BAMBERG | | |
| WHOLE BARRACKS COMPLEX RENEWAL | 860 | --- |
| WHOLE BARRACKS COMPLEX RENEWAL | 1,400 | --- |
| WHOLE BARRACKS COMPLEX RENEWAL | 1,230 | --- |
| MANNHEIM | | |
| WHOLE BARRACKS COMPLEX RENEWAL | 675 | --- |
| DEFENSE-WIDE | | |
| RAMSTEIN AIR BASE | | |
| ADD/ALTER DENTAL CLINIC | 2,550 | --- |
| TOTAL, GERMANY | 9,865 | --- |
| GREECE | | |
| NAVY | | |
| SOUDA BAY CRETE NAVAL SUPPORT ACTIVITY | | |
| OPERATIONAL SUPPORT FACILITIES | 1,620 | --- |
| GUAM | | |
| AIR FORCE | | |
| ANDERSEN AFB | | |
| LANDFILL CLOSURE | 2,097 | 8,900 |
| DEFENSE-WIDE | | |
| ANDERSEN AFB | | |
| ANDERSEN ELEMENTARY SCHOOL | 10,026 | 44,170 |
| DEF FUEL SUPPORT POINT GUAM | | |
| REPLACE HYDRANT FUEL SYSTEM | 2,600 | 24,300 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| ARMY NATIONAL GUARD | | |
| BARRIGADA | | |
| READINESS CENTER (PHASE I) | --- | 8,238 |
| ARMY RESERVE | | |
| BARRIGADA | | |
| USAR CENTER/ORGANIZATIONAL MAINTENANCE SHOP/AREA MAINTENANCE SUPPORT ACTIVITY | 1,116 | 17,546 |
| TOTAL, GUAM | 15,839 | 103,154 |
| ITALY | | |
| NAVY | | |
| NAPLES NAVAL SUPPORT ACTIVITY | | |
| OPERATIONAL SUPPORT FACILITY | 7,370 | --- |
| AIR FORCE | | |
| AVIANO AB | | |
| RADAR APPROACH CONTROL FACILITY | 966 | --- |
| TOTAL, ITALY | 8,336 | --- |
| KOREA | | |
| ARMY | | |
| CAMP CASEY | | |
| WHOLE BARRACKS COMPLEX RENEWAL | 4,650 | 31,000 |
| CAMP HOWZE | | |
| WATER SYSTEM UPGRADE | 920 | 3,050 |
| CAMP KYLE | | |
| PHYSICAL FITNESS TRAINING CENTER | --- | 4,350 |
| CAMP STANLEY | | |
| ELECTRICAL SYSTEM UPGRADE | 1,100 | 3,650 |
| AIR FORCE | | |
| OSAN AB | | |
| ADD/ALTER PHYSICAL FITNESS CENTER | 2,229 | 7,600 |
| DORMITORY | 3,482 | 12,000 |
| DEFENSE-WIDE | | |
| YONGSAN | | |
| ADD/ALTER HOSPITAL | 9,570 | 38,570 |
| MEDICAL SUPPLY/EQUIP STORAGE WAREHOUSE REPLACEMENT | 2,300 | 2,550 |
| TOTAL, KOREA | 24,251 | 102,770 |
| KWAJALEIN | | |
| ARMY | | |
| KWAJALEIN ATOLL | | |
| POWER PLANT - ROI NAMUR ISLAND (PHASE II) | 35,400 | 35,400 |
| PORTUGAL | | |
| AIR FORCE | | |
| LAJES FIELD (AZORES) | | |
| APRON SECURITY LIGHTING | 479 | --- |
| PUERTO RICO | | |
| DEFENSE-WIDE | | |
| NSGA SABANA SECA | | |
| MEDICAL/DENTAL CLINIC REPLACEMENT | 1,120 | 4,000 |
| AIR NATIONAL GUARD | | |
| PUERTO RICO INTERNATIONAL AIRPORT | | |
| C-130 ADD TO AIRCRAFT PARKING APRON | 490 | 2,250 |
| C-130 FUEL CELL AND CORROSION CONTROL FACILITY | 1,212 | 5,600 |
| C-130 UPGRADE AIRCRAFT MAINTENANCE HANGAR | 825 | 3,800 |
| ARMY RESERVE | | |
| FORT BUCHANAN | | |
| USAR CENTER | 1,431 | 10,101 |
| TOTAL, PUERTO RICO | 5,078 | 25,751 |
| SPAIN | | |
| DEFENSE-WIDE | | |
| MORON AIR BASE | | |
| REPLACE HYDRANT FUEL SYSTEM | 4,100 | --- |
| ROTA NAVAL STATION | | |
| ROTA ELEMENTARY SCHOOL | 3,854 | --- |
| TOTAL, SPAIN | 7,954 | --- |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| UNITED KINGDOM | | |
| AIR FORCE | | |
| ROYAL AIR FORCE FELTWELL | | |
| WASTEWATER TREATMENT PLANT | 786 | --- |
| ROYAL AIR FORCE LAKENHEATH | | |
| CHILD DEVELOPMENT CENTER | 1,519 | --- |
| CONSOLIDATED SUPPORT COMPLEX | 3,221 | --- |
| ROYAL AIR FORCE MILDENHALL | | |
| CONSOLIDATE CORROSION CONTROL/MAINTENANCE COMPLEX | 2,693 | --- |
| OPERATIONS FACILITY | 1,076 | --- |
| HAZARDOUS MATERIAL STORAGE FACILITY | 267 | --- |
| KC-135 FLIGHT SIMULATOR FACILITY | 600 | --- |
| ROYAL AIR FORCE MOLESWORTH | | |
| WASTEWATER TREATMENT PLANT | 445 | --- |
| DEFENSE-WIDE | | |
| ROYAL AIR FORCE FELTWELL | | |
| CONSTRUCT MULTIPURPOSE FACILITY | 1,023 | --- |
| LAKENHEATH MIDDLE SCHOOL | | |
| CONSTRUCT GYMNASIUM BUILDING | 841 | --- |
| MENWITH HILL STATION | | |
| MEDICAL CENTER EXPANSION | 500 | --- |
| ROYAL AIR FORCE LAKENHEATH | | |
| ADD/ALTER DENTAL CLINIC | 1,000 | --- |
| TOTAL, UNITED KINGDOM | 13,971 | --- |
| NATO | | |
| NATO SECURITY INVESTMENT PROGRAM | 191,000 | 81,000 |
| WORLDWIDE UNSPECIFIED | | |
| ARMY | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| HOST NATION SUPPORT | 21,300 | 21,300 |
| MINOR CONSTRUCTION | 9,500 | 14,600 |
| PLANNING AND DESIGN | 60,705 | 70,305 |
| GENERAL REDUCTION | --- | -47,580 |
| SUPERVISION, INSPECTION AND OVERHEAD | 30,689 | --- |
| FINANCING ENTRY | -30,689 | --- |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -3,700 |
| NAVY | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| PLANNING AND DESIGN | 65,630 | 72,630 |
| UNSPECIFIED MINOR CONSTRUCTION | 7,342 | 8,862 |
| GENERAL REDUCTION | --- | -40,145 |
| SUPERVISION, INSPECTION AND OVERHEAD | 6,178 | --- |
| FINANCING ENTRY | -6,178 | --- |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -3,000 |
| AIR FORCE | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| UNSPECIFIED MINOR CONSTRUCTION | 8,741 | 11,341 |
| PLANNING AND DESIGN | 28,004 | 36,412 |
| GENERAL REDUCTION | --- | -35,685 |
| SUPERVISION, INSPECTION AND OVERHEAD | 3,376 | --- |
| FINANCING ENTRY | -3,376 | --- |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -2,300 |
| DEFENSE-WIDE | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| ENERGY CONSERVATION IMPROVEMENT PROGRAM | 6,558 | --- |
| CONTINGENCY CONSTRUCTION | 938 | 938 |
| GENERAL REDUCTION | --- | -25,275 |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -2,300 |
| GENERAL REDUCTION (CHEMICAL DEMILITARIZATION) | --- | -93,000 |
| PLANNING AND DESIGN | | |
| TRI-CARE MANAGEMENT ACTIVITY | 9,500 | 9,500 |
| SPECIAL OPERATIONS COMMAND | 5,700 | 5,700 |
| BALLISTIC MISSILE DEFENSE ORGANIZATION | 124 | 15,124 |
| DEFENSE LEVEL ACTIVITIES | 18,000 | 18,000 |
| SUBTOTAL, PLANNING AND DESIGN | 33,324 | 48,324 |
| UNSPECIFIED MINOR CONSTRUCTION | | |
| DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION | 1,000 | 1,000 |
| TRI-CARE MANAGEMENT ACTIVITY | 3,587 | 3,587 |
| SPECIAL OPERATIONS COMMAND | 2,300 | 2,300 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| DEFENSE FINANCE AND ACCOUNTING SERVICE | 1,500 | 1,500 |
| BALLISTIC MISSILE DEFENSE ORGANIZATION | 1,248 | 1,248 |
| DEFENSE LEVEL ACTIVITIES | 2,900 | 2,900 |
| JOINT CHIEFS OF STAFF | 6,083 | 6,083 |
| SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION | 18,618 | 18,618 |
| ARMY NATIONAL GUARD | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| PLANNING AND DESIGN | 4,129 | 16,409 |
| UNSPECIFIED MINOR CONSTRUCTION | 771 | 15,629 |
| AIR NATIONAL GUARD | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| PLANNING AND DESIGN | 4,951 | 7,275 |
| UNSPECIFIED MINOR CONSTRUCTION | 2,000 | 3,500 |
| ARMY RESERVE | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| PLANNING AND DESIGN | 8,500 | 8,500 |
| UNSPECIFIED MINOR CONSTRUCTION | 1,416 | 2,716 |
| SUPERVISION, INSPECTION AND OVERHEAD | 712 | --- |
| FINANCING ENTRY | -712 | --- |
| NAVY RESERVE | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| PLANNING AND DESIGN | 1,778 | 2,750 |
| UNSPECIFIED MINOR CONSTRUCTION | 1,036 | 2,806 |
| SUPERVISION, INSPECTION AND OVERHEAD | 32 | --- |
| FINANCING ENTRY | -32 | --- |
| AIR FORCE RESERVE | | |
| UNSPECIFIED WORLDWIDE LOCATIONS | | |
| PLANNING AND DESIGN | 1,867 | 1,867 |
| UNSPECIFIED MINOR CONSTRUCTION | 4,467 | 4,467 |
| SUPERVISION, INSPECTION AND OVERHEAD | 407 | --- |
| FINANCING ENTRY | -407 | --- |
| TOTAL, WORLDWIDE UNSPECIFIED | 291,575 | 116,264 |
| WORLDWIDE VARIOUS | | |
| DEFENSE-WIDE | | |
| VARIOUS LOCATIONS | | |
| POLLUTION ABATEMENT FACILITIES | 1,300 | 1,300 |
| FAMILY HOUSING, ARMY | | |
| VIRGINIA | | |
| FORT LEE (97 UNITS) | --- | 8,000 |
| WASHINGTON | | |
| FORT LEWIS (48 UNITS) | --- | 9,000 |
| KOREA | | |
| CAMP HUMPHREYS (60 UNITS) | 4,400 | 24,000 |
| FINANCING ENTRY | -286 | --- |
| CONSTRUCTION IMPROVEMENTS | 5,303 | 35,400 |
| FINANCING ENTRY | -345 | --- |
| PLANNING AND DESIGN | 4,300 | 4,300 |
| SUPERVISION, INSPECTION AND OVERHEAD | 631 | --- |
| SUBTOTAL, CONSTRUCTION | 14,003 | 80,700 |
| OPERATION AND MAINTENANCE | | |
| MANAGEMENT ACCOUNT | 92,453 | 84,185 |
| SERVICES ACCOUNT | 47,715 | 47,715 |
| UTILITIES ACCOUNT | 220,952 | 220,952 |
| FURNISHINGS ACCOUNT | 44,970 | 44,970 |
| MISCELLANEOUS ACCOUNT | 482 | 482 |
| LEASING | 222,294 | 222,294 |
| MAINTENANCE OF REAL PROPERTY | 469,211 | 469,211 |
| INTEREST PAYMENTS | 3 | 3 |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -3,500 |
| SUBTOTAL, OPERATION AND MAINTENANCE | 1,098,080 | 1,086,312 |
| TOTAL, FAMILY HOUSING, ARMY | 1,112,083 | 1,167,012 |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| FAMILY HOUSING, NAVY AND MARINE CORPS | | |
| ARIZONA | | |
| MARINE CORPS AIR STATION (YUMA) (49 UNITS) | --- | 8,500 |
| CALIFORNIA | | |
| LEMOORE NAVAL AIR STATION (116 UNITS) | --- | 20,188 |
| HAWAII | | |
| KANEOHE BAY MARINE CORPS AIR STATION (100 UNITS) | 5,320 | 26,615 |
| MARINE CORPS BASE HAWAII FAMILY HOUSING (30 UNITS) | --- | 8,000 |
| PEARL HARBOR NAVAL COMPLEX (133 UNITS) | 6,031 | 30,168 |
| PEARL HARBOR COMPLEX (96 UNITS) | 3,831 | 19,167 |
| NORTH CAROLINA | | |
| CHERRY POINT MARINE CORPS AIR STATION (180 UNITS) | --- | 22,036 |
| FINANCING ENTRY | -908 | --- |
| CONSTRUCTION IMPROVEMENTS | 31,708 | 189,682 |
| FINANCING ENTRY | -1,897 | --- |
| PLANNING AND DESIGN | 17,715 | 17,715 |
| SUPERVISION, INSPECTION AND OVERHEAD | 2,805 | --- |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -1,000 |
| SUBTOTAL, CONSTRUCTION | 64,605 | 341,071 |
| OPERATION AND MAINTENANCE | | |
| MANAGEMENT ACCOUNT | 82,925 | 82,925 |
| SERVICES ACCOUNT | 63,589 | 63,589 |
| UTILITIES ACCOUNT | 170,991 | 170,991 |
| FURNISHINGS ACCOUNT | 32,636 | 32,636 |
| MISCELLANEOUS ACCOUNT | 1,180 | 1,180 |
| LEASING | 145,953 | 145,953 |
| MAINTENANCE OF REAL PROPERTY | 397,723 | 397,723 |
| MORTGAGE INSURANCE PREMIUMS | 73 | 73 |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -3,600 |
| SUBTOTAL, OPERATION AND MAINTENANCE | 895,070 | 891,470 |
| TOTAL, FAMILY HOUSING, NAVY AND MARINE CORPS | 959,675 | 1,232,541 |
| FAMILY HOUSING, AIR FORCE | | |
| ARIZONA | | |
| DAVIS-MONTHAN AFB (64 UNITS) | 2,707 | 10,000 |
| CALIFORNIA | | |
| BEALE AFB (60 UNITS) | 2,301 | 8,500 |
| EDWARDS AFB (98 UNITS) | 4,404 | 16,270 |
| EDWARDS AFB (90 UNITS) | 4,472 | 16,520 |
| VANDENBERG AFB (91 UNITS) | 4,548 | 16,800 |
| DISTRICT OF COLUMBIA | | |
| BOLLING AFB (72 UNITS) | 2,537 | 9,375 |
| FLORIDA | | |
| EGLIN AFB (130 UNITS) | 3,812 | 14,080 |
| MACDILL AFB (54 UNITS) | 2,446 | 9,034 |
| KANSAS | | |
| MCCONNELL AFB | --- | 1,363 |
| MISSISSIPPI | | |
| COLUMBUS AFB (100 UNITS) | 3,327 | 12,290 |
| MONTANA | | |
| MALMSTROM AFB (34 UNITS) | 2,050 | 7,570 |
| NEBRASKA | | |
| OFFUTT AFB (72 UNITS) | 3,343 | 12,352 |
| NEW MEXICO | | |
| HOLLOMON AFB (76 UNITS) | --- | 9,800 |
| NORTH CAROLINA | | |
| SEYMOUR JOHNSON AFB (78 UNITS) | 3,300 | 12,187 |
| NORTH DAKOTA | | |
| GRAND FORKS AFB (42 UNITS) | 2,720 | 10,050 |
| MINOT AFB (72 UNITS) | 2,912 | 10,756 |
| OKLAHOMA | | |
| TINKER AFB (41 UNITS) | --- | 6,000 |
| TEXAS | | |
| LACKLAND AFB (48 UNITS) | 2,030 | 7,500 |
| PORTUGAL | | |
| LAJES AFB (AZORES) (75 UNITS) | 3,509 | 12,964 |
| FINANCING ENTRY | -1,033 | --- |

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

| INSTALLATION & PROJECT | BUDGET REQUEST | CONFERENCE AGREEMENT |
|---|---|---|
| CONSTRUCTION IMPROVEMENTS | 34,280 | 129,952 |
| FINANCING ENTRY | -128 | --- |
| PLANNING AND DESIGN | 17,093 | 17,093 |
| SUPERVISION, INSPECTION AND OVERHEAD | 1,161 | --- |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -1,000 |
| SUBTOTAL, CONSTRUCTION | 101,791 | 349,456 |
| OPERATION AND MAINTENANCE | | |
| MANAGEMENT ACCOUNT | 56,413 | 56,413 |
| SERVICES ACCOUNT | 31,450 | 31,450 |
| UTILITIES ACCOUNT | 160,117 | 160,117 |
| FURNISHINGS ACCOUNT | 36,997 | 36,997 |
| MISCELLANEOUS ACCOUNT | 2,640 | 2,640 |
| LEASING | 118,509 | 118,509 |
| MAINTENANCE OF REAL PROPERTY | 415,733 | 415,733 |
| MORTGAGE INSURANCE PREMIUMS | 33 | 33 |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -3,500 |
| SUBTOTAL, OPERATION AND MAINTENANCE | 821,892 | 818,392 |
| TOTAL, FAMILY HOUSING, AIR FORCE | 923,683 | 1,167,848 |
| FAMILY HOUSING, DEFENSE-WIDE | | |
| CONSTRUCTION IMPROVEMENTS (NSA) | 50 | 50 |
| OPERATION AND MAINTENANCE | | |
| MANAGEMENT ACCOUNT (NSA) | 67 | 67 |
| SERVICES ACCOUNT (NSA) | 265 | 265 |
| UTILITIES ACCOUNT (NSA) | 515 | 515 |
| FURNISHINGS ACCOUNT (NSA) | 132 | 132 |
| MISCELLANEOUS ACCOUNT (NSA) | 50 | 50 |
| LEASING (NSA) | 13,374 | 13,374 |
| MAINTENANCE OF REAL PROPERTY (NSA) | 244 | 244 |
| FURNISHINGS ACCOUNT (DIA) | 3,401 | 3,401 |
| LEASING (DIA) | 22,265 | 22,265 |
| MANAGEMENT ACCOUNT (DLA) | 247 | 247 |
| SERVICES ACCOUNT (DLA) | 75 | 75 |
| UTILITIES ACCOUNT (DLA) | 414 | 414 |
| FURNISHINGS ACCOUNT (DLA) | 21 | 21 |
| MAINTENANCE OF REAL PROPERTY (DLA) | 370 | 370 |
| SUBTOTAL, OPERATION AND MAINTENANCE | 41,440 | 41,440 |
| TOTAL, FAMILIY HOUSING, DEFENSE-WIDE | 41,490 | 41,490 |
| DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND | | |
| DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND | 78,756 | 2,000 |
| BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV | | |
| BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV | 705,911 | 705,911 |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -2,000 |
| INFLATION SAVINGS PREVIOUSLY WITHHELD | --- | -13,800 |
| UNREPORTED PROCEEDS | --- | -11,800 |
| PREVIOUSLY FUNDED MILITARY CONSTRUCTION | --- | -6,000 |
| TOTAL, BASE REALIGNMENT AND CLOSURE ACCOUNT | 705,911 | 672,311 |
| GRAND TOTAL | 5,438,443 | 8,374,000 |

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

| | |
|---|---|
| New budget (obligational) authority, fiscal year 1999 | $9,134,234 |
| Budget estimates of new (obligational) authority, fiscal year 2000 | 8,499,273 |
| House bill, fiscal year 2000 | 8,449,742 |
| Senate bill, fiscal year 2000 | 8,273,820 |
| Conference agreement, fiscal year 2000 | 8,374,000 |
| Conference agreement compared with: | |
| New budget (obligational) authority, fiscal year 1999 | −760,234 |
| Budget estimates of new (obligational) authority, fiscal year 2000 | −125,273 |
| House bill, fiscal year 2000 | −75,742 |
| Senate bill, fiscal year 2000 | +100,180 |

DAVID L. HOBSON,
JOHN EDWARD PORTER,
ROGER F. WICKER,
TODD TIAHRT,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
C.W. BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN D. DICKS,
DAVID R. OBEY,
*Managers on the Part of the House.*

CONRAD BURNS,
KAY BAILEY HUTCHISON,
LARRY E. CRAIG,
JON KYL,
TED STEVENS,
PATTY MURRAY,
HARRY REID,
DANIEL K. INOUYE,
ROBERT C. BYRD,
*Managers on the Part of the Senate.*

□ 1515

## PROVIDING FOR CONSIDERATION OF H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. LINDER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 260 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 260

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(c) of rule XIII or section 306 or section 401 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. The amendments printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 260 is an open rule providing for consideration of H.R. 2587, the District of Columbia appropriations bill for fiscal year 2000. The rule provides for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 4(c) of rule XIII, requiring a 3-day layover of the committee report; section 306, prohibiting consideration of legislation within the Committee on the Budget's jurisdiction unless reported by the Committee on the Budget; and section 401, prohibiting consideration of legislation providing new entitlement authority which becomes effective during the current fiscal year, of the Congressional Budget Act against consideration of the bill. The rule also waives clause 2 of rule XXI, prohibiting unauthorized appropriations and legislation on an appropriations bill.

Madam Speaker, H. Res. 260 specifically structures consideration of four amendments printed in the Committee on Rules report offered by the gentleman from Kansas (Mr. TIAHRT), the gentleman from Oklahoma (Mr. LARGENT), the gentleman from California (Mr. BILBRAY) and the gentleman from Georgia (Mr. BARR). These amendments may be offered only by the Member designated in the report and only at the appropriate point in the reading of the bill, shall be debatable for the time specified in the report equally divided and controlled between the proponent and an opponent, and shall not be subject to amendment. The rule also waives all points of order against the amendments printed in the Committee on Rules report.

Additionally, this rule accords priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. This encourages Members to take advantage of the option to facilitate consideration of amendments and to inform Members of the details of pending amendments.

The rule also provides that the Chairman of the Committee of the Whole may postpone recorded votes on any amendment and that the Chairman may reduce voting time on postponed questions to 5 minutes, provided that the vote immediately follow another recorded vote and that the voting time on the first in a series of votes is not less than 15 minutes.

House Resolution 260 also provides for one motion to recommit, with or without instructions, as is the right of the minority Members of the House.

Madam Speaker, H. Res. 260 is an open rule similar to those considered for other general appropriations bills. Any Member who wishes to offer an amendment to the District of Columbia appropriations bill will have the opportunity to do so.

In addition, in order to better manage the debate, the Committee on Rules has structured the debate on four specific amendments:

Amendment No. 1 offered by the gentleman from Kansas (Mr. TIAHRT) would prohibit the use of District and Federal funds on a needle exchange program for illegal drugs, or for any payment to any individual or entity who carries out any such program.

Amendment No. 2 offered by the gentleman from Oklahoma (Mr. LARGENT) would prohibit the use of funds contained in this bill from being used to allow joint adoptions by persons who are unrelated by either blood or marriage.

Amendment No. 3 offered by the gentleman from California (Mr. BILBRAY) would prohibit a minor's possession of tobacco products in the District.

And, finally, amendment No. 4 offered by the gentleman from Georgia (Mr. BARR) would prohibit the use of funds from being used to legalize or reduce penalties for the possession, use,

or distribution of any schedule 1 substance under the Controlled Substance Act.

Under this open rule, the House will have the opportunity to exercise its responsibility to address these important social issues facing the District. Rather than avoiding controversial issues like needle exchanges, legalizing marijuana, and adoption by domestic partners, Members of this House will be accountable to their constituents and the people of the District. I am pleased that this open rule will bring these honest policy disputes out into the open so that the American people will know where their representatives stand on these issues that affect them right in their own towns and neighborhoods.

I also want to discuss briefly the base bill this rule makes in order. H.R. 2587 appropriates a total of $453 million in Federal funding support for the District, which is $230 million below last year's level and $59 million above the President's request. Additionally, the bill sends $6.8 million in District funds back to the people of Washington, $4 million less than fiscal year 1999 but $40 million more than requested by the President.

Madam Speaker, the Committee on Appropriations has once again performed admirably, working within the responsible budget limits imposed by the Balanced Budget Act while managing the available resources to best serve the American people. I applaud the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) for their hard work to produce this solid legislation.

While this bill supports a broad range of District programs, I would like to focus on the bill's important provisions to improve education for the students of Washington, D.C. Specifically the bill provides $17 million for a new scholarship to help District students attend college. It also reduces a number of regulatory barriers to ensure that District students have the chance to explore the opportunity of charter schools. With this legislation, charter schools will have access to construction funds, the schools will have the same opportunity to expand as other public schools, and parents will be able to send all of their children to the same charter school. Good education policy must start at the local level, and this bill empowers local officials to make the tough decisions necessary to move beyond the serious problems that currently plague their schools.

Additionally, this bill works with local governments to improve city management, encourages adoptions of children currently in foster care, and enacts the $59 million tax cut passed by the D.C. City Council.

This is a responsible bill that makes the Federal Government a partner in D.C. government and helps our Nation's capital move closer to the success and independence that its residents deserve.

Madam Speaker, H.R. 2587 was favorably reported out of the Committee on Appropriations as was this open rule by the Committee on Rules. I urge my colleagues to support the rule so we may proceed with the general debate and consideration of this legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, the Committee on Rules has done it to the District of Columbia again. The Republican majority has deliberately stuck a finger in the eyes of the residents of the District of Columbia. Accordingly, I rise in opposition to this rule which specifically makes in order four Republican amendments which seek to micromanage the District, all to advance an agenda which may or may not be shared by the citizens of this city.

The gentlewoman from the District of Columbia made an eloquent plea to the Committee on Rules yesterday asking that the committee not make in order amendments which affect social policy in the city she represents. The committee totally ignored her, Madam Speaker, and in fact the committee did exactly what she asked it not to do.

Madam Speaker, I am not here to advocate one social policy over another. I am not here to advocate the use of marijuana for medicinal purposes, or needle exchange programs, or the sale of tobacco to teenagers, but I do think that the Mayor and the Council of this city ought to be given an opportunity to govern and make the kind of decisions that city councils, county governments and State legislatures in the rest of the country are allowed to make without interference and micromanagement by the U.S. House of Representatives.

The Committee on Rules apparently does not think that Mayor Williams and the City Council should be given that kind of responsibility. Instead, they have made in order in this rule amendments which would prohibit the city from counting ballots cast in an election last year, which would prohibit the city from using its own money to allow adoptions by unmarried couples, and which would prohibit the city from contributing its own funds to a needle exchange program specifically designed to stop the spread of HIV/AIDS in this city.

Madam Speaker, the Mayor and all 13 members of the City Council have asked that these riders, among others, not be included in this appropriations bill. But the Committee on Rules seems to know what is best for this city. This paternalism is insulting and patronizing, Madam Speaker, and for that reason I urge a ''no'' vote on the rule.

Madam Speaker, I reserve the balance of my time.

Mr. LINDER. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the Subcommittee on the District of Columbia.

Mr. ISTOOK. Madam Speaker, I rise in support of this rule and of the underlying bill that the rule authorizes to be considered.

I appreciate the Committee on Rules' cooperation in putting the package together for fair consideration of this appropriations measure. I appreciate the gentleman from Florida (Mr. YOUNG), the gentleman from Virginia (Mr. MORAN) with whom I have worked, and, of course, the gentlewoman from the District of Columbia (Ms. NORTON).

This rule keeps in place what the subcommittee and the full Committee on Appropriations have sought to do; that is, to, to the maximum extent possible, respect and follow the budget that was put together by the Mayor and the City Council in the District of Columbia.

There are certain things, of course, that we undertake pursuant to our constitutional obligation. Article 1, section 8, of the U.S. Constitution provides that this Congress has exclusive legislative authority regarding the District of Columbia. However, many years ago, we delegated as much as we could through home rule charter to the District, and I am pleased that the budget that was adopted by the City Council, by the Mayor and by the D.C. Control Board is followed in this appropriations measure.

Let me mention, so that all Members will be fully aware, several things that are in the bill that I do not believe will prove controversial. They are not controversial, and I believe they should be the focus of the consideration of the rule and of the underlying bill.

For example, we are all familiar with the problems of drug and crime that have plagued the District for far too many years. We have a very ambitious program created in this piece of legislation, a $25 million addition on top of other drug testing and treatment funds for the Federal Office of Offender Supervision that is in charge of supervising some 30,000 persons that are on probation or parole within the District of Columbia.

One of the conditions upon being on probation or parole and not being incarcerated is that they remain drug-free. We all know they are not remaining drug-free. In fact, working with the Chief of Police, Mr. Ramsey, here in the District, he advises me, as other people do, that this population of 30,000 offenders is the core of so much of the crime that continues to plague the District of Columbia, persons that are free on supervision, or supposed supervision, that commit hundreds of crimes apiece in many cases, all too often because of the link between crime and drugs.

This bill establishes for those 30,000 offenders a program of consistent, universal drug testing, for some of them once a week, for some of them twice a week, coupled with a major expansion of the drug treatment programs, saying to those offenders, if you wish to remain free on the streets, you must remain free of drugs.

□ 1530

This will be the largest program of its kind of any city in the United States of America. We are dead serious about the war on drugs. This bill takes the largest step we have taken toward attacking that problem. I believe it deserves focus.

We also have within this bill the ratification of the bold tax cut plan that was adopted by the city council and the mayor in the District of Columbia beginning with $59 million the first year and larger amounts thereafter of property tax and income tax relief trying to help revitalize the city that has lost over 200,000 people in recent years, trying to be part of turning it around with economic development initiatives.

And we all know, of course, that even if they have a more vibrant economic city, it still has to be a safe city. So we ratified the council's action in this bill at the same time as we undertake the attack on drugs.

We have $5 million for a special environmental clean up of the Anacostia River. I want to especially commend one of the members of the subcommittee, the gentleman from California (Mr. CUNNINGHAM), who took a special interest in that particular measure.

We have a major problem within the District of Columbia, one of the many accumulated problems through many bad years for the District of long-term foster care, 3,500 kids that need a permanent, stable, loving home. We have $8.5 million for adoption initiatives to help solve this long-term problem and get these kids out of long-term foster care and adopted into stable, permanent, loving homes. That is a very important initiative.

The mayor and the council have been very diligent in bringing in, for the second year, a balanced budget within the District of Columbia. Thanks to some changes in the Federal relationship, some expenses that the Federal Government has assumed, they have a balanced budget; and we respect the priorities they put in.

We also create further tools for rightsizing the size of city government. With the Control Board, in recent years, taking the lead and the gentleman who is now mayor of the city, Anthony Williams, who was Chief Financial Officer of the Control Board leading that way the city has been working to rightsize city government. There is still a problem with too many city workers for the size of the community. We have $20 million to help them with the downsizing initiative through buyouts and early retirements for persons that should be retired from the city payroll but that we need to make sure that we do it without a disruptive mechanism.

We have these and other important initiatives that I think justify the accent upon the positive. We have a new mayor, we have a new council that is working diligently on the problems of city government, and we have also made sure that we do not open up new difficulties in this particular bill.

I commend the Committee on Rules because the amendments which they placed in order are amendments which have previously been important to this House of Representatives. For example, the needle exchange prohibition with public funds that we will be voting on later is the identical provision that was approved by the House, approved by the Senate, and signed into law by the President of the United States last year. The amendment we will vote on is to continue that policy, not to create a new one.

The committee has placed in order an amendment that is different in some ways, however, when it comes to the issue of the medical marijuana initiative petition that was conducted in the District.

We dealt with, last year, a prohibition on counting the ballots. The amendment offered by the gentleman from Georgia (Mr. BARR) which we will offer later today that the Committee on Rules has placed in order is not quite the same. It is a prohibition on changing the law in D.C. to legalize marijuana, but it is not a prohibition against counting the ballots.

The amendment by the gentleman from Oklahoma (Mr. LARGENT) relating to adoption needing to be by couples who are related by marriage or by blood is the same language that was adopted by this House last year. It is not something new that has been brought up.

The language of the gentleman from California (Mr. BILBRAY) regarding tobacco was also something that was attached by the House to this legislation last year.

So the Committee on Rules has avoided opening new fronts with the amendments that are placed in order. I recognize that there are some issues of social policy where there may be disagreements between persons in the District, persons in this Congress, persons on one side of the aisle and persons on the other side of the aisle. But I think when the House works its will with those amendments, we will see that what remains is a bill that promotes fiscal responsibility, that keeps the budget balanced running a surplus with tax cuts to help with the economic revitalization of the District of Columbia, significant incentives regarding the problems of drugs and crime and their interrelationship in D.C. and other measures such as the gentleman from Georgia (Mr. LINDER) has pointed out to strengthen the educational system through the charter schools provisions being made permanent.

They are 5 percent of the District's school enrollment right now. They are projected to be 10 percent this fall, and also the education initiative with the D.C. scholarships, as it is called, which is a tuition aid grant modeled after the tuition aid grants that are currently in place in virtually every State in the Union.

These are things that the Committee on Rules has left intact, they have not fostered disagreement or argument over these issues, and I think it is important that, as we consider the rule, we have that perspective. Yes, we will have disagreements over certain items in the bill, but after we resolve those disagreements, I urge people to adopt the underlying bill, and I urge adoption of the rule that makes it possible.

Mr. FROST. Madam Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I want to thank the gentleman from Oklahoma (Mr. ISTOOK) and the ranking member, the gentleman from Virginia (Mr. MORAN), who have worked so hard and so well to bring the D.C. appropriation to the floor early this year. My thanks also to the gentleman from Illinois (Mr. HASTERT) and the gentleman from Florida (Mr. YOUNG) who met with the District's new mayor Tony Williams and me earlier this year and indicated that they would work for early consideration of the city's budget. They have kept that promise.

I want to say a special word of sincere appreciation to the gentleman from Oklahoma (Mr. ISTOOK) in particular for his openness and communication with me and with city officials that enabled us to settle amicably the small differences that inevitably arise. His respect for the work of our new mayor and the D.C. City Council is manifested in the city's consensus budget which came with the approval of the District's Control Board and to which the gentleman from Oklahoma (Mr. ISTOOK) has now given his approval as well.

This hard work is now threatened by amendments that legislate on the appropriation in ways that are strongly opposed by the new mayor and all the members of the revitalized city council. Congress has the right to make policy decisions for this Nation. You have no right to dictate policy to a local jurisdiction. Yet four amendments have been made in order and protected, and they are taken straight out of the annals of authoritarianism.

They would impose on the District a provision that is not only grotesquely anti-democratic, but also is moot, that prohibits local funds for a constitutional test of congressional voting rights, a prohibition on even local funds to contribute to a private life-saving needle exchange program that has saved hundreds of residents from death and disease caused by the HIV/AIDS epidemic, a prohibition on unmarried couples jointly adopting a child despite 3,000 children awaiting adoption, an entire bill penalizing the possession of tobacco by minors that Mayor Williams has specifically asked be deferred in favor of his own approach, and an amendment that seeks to overturn a local initiative on medical marijuana when no such law has been enacted.

The bill itself also contains two provisions highly objectionable to city

residents and elected officials that I cannot possibly support, a prohibition on the use of even local funds for abortions for poor women and a bar on implementation of the city's domestic partners law.

The district has just elected a new reform minded mayor and revitalized its city council. They have sent us a balanced budget with a surplus consisting only of their own money with prudent investments in neglected services and with a tax cut for residents and businesses. Their work should not be undermined by the imposition of the personal preferences of Members on a local jurisdiction when Members are not accountable to local voters. The cumulative effect of these appendages to what is essentially a local budget is so obnoxious that a veto specifically has been threatened. I can only plead with my colleagues to save my appropriation from needless contention and a veto by defeating each and every one of these autocratic, anti-home rule amendments. This rule defeats the good work of the subcommittee by drowning it with irrelevant legislation anathema to the people I represent.

I therefore must ask my colleagues, must plead with my colleagues, to vote against this rule.

Mr. LINDER. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. FROST. Madam Speaker, I yield 6 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Madam Speaker, I want to thank my distinguished colleague, the chairperson of the appropriations subcommittee, for working very hard on this bill and coming up with a bill that from every budgetary standpoint, from every appropriations standpoint, is a good bill. It should be passed. We should be unanimous here in our support of the consensus budget that is reflected in this appropriations bill.

In fact, we went beyond the consensus budget and put in things that the mayor and other leaders of the city wanted. We have got more money in here for drug treatment programs, for court programs that supervise probationers and parolees. We have got programs that clearly will substantially reduce the rate of crime in the city. We have got money to address child abuse and neglect, to assist foster care children in getting adopted. Lots of good things, and I wish I could stand up here right now and say let us vote for this rule because it is such a good bill.

Unfortunately, I cannot. I have to urge the body to vote against the rule because it is not a good rule, it is not a fair rule, it is not an appropriate rule. It specifically enables debates on issues that are not appropriately within the appropriations committee's jurisdiction. The reason why this is not a good rule is it puts in things that lie well beyond the scope of the Committee on Appropriations, well beyond the scope of Federal governance.

It makes in order four amendments, four amendments offered by Republican colleagues, makes in order no amendments offered by Democratic colleagues, particularly the one offered by the gentlewoman from the District of Columbia (Ms. NORTON) in alliance with the gentlewoman from Michigan (Ms. KILPATRICK), it makes that out of order, and makes in order four amendments, all of which are inappropriate and would be ruled out of order if this was an open rule.

This should be an open rule. Because it is not, I have to urge all the Members of this body who believe in fairness and in the integrity of the appropriations process to vote no on the rule.

The needle exchange amendment offered by the gentleman from Kansas (Mr. TIAHRT) inserts new language, goes beyond the use of funds appropriated in the act and places conditions on private funds.

□ 1545

That is not appropriate for an appropriations bill.

We rejected what he was trying to do in full committee; but yet, the Committee on Rules enables him to take out the language that we agreed to in a bipartisan vote, a strong bipartisan vote in full committee.

The Largent amendment would impose a new duty upon District officials. It is an unfunded mandate, imposes a new requirement on District officials to conduct additional screening requirements on applicants for adoption that go considerably beyond the funding issues in this bill to determine who is and who is not eligible to adopt children in the District of Columbia. It is going to restrict a lot of fine people from being able to adopt children when we have more than 3,000 kids in need of adoption.

The Bilbray amendment writes criminal legislation in an appropriations bill. This should be with the Committee on the Judiciary. I am sympathetic with what the gentleman wants to do, but we do not write criminal penalties into appropriations bills. What are we doing that for? It is not the right thing to do. And one can make an argument that this is not even lawful, to be putting in criminal penalties for minors' possession of tobacco. As much as we might like to do it, it does not belong in an appropriations bill.

Then the fourth amendment, this is the Barr amendment, this is brand new. We rejected the gentleman's attempt to prevent the District from counting its own ballots on its own referendum. It would have cost about $1.30 to press a button and announce the results of the referendum. The committee, in a bipartisan aye vote, agreed that we should not be doing that. So we rejected it. So now the gentleman from Georgia (Mr. BARR) has a brand-new thing, brand-new language that needs a hearing, needs consideration by the Committee on the Judiciary that places new penalties on the possession of a long list of substances: peyote, mescaline, marijuana, a whole long list of things.

We have not thought about this, because we have not had any hearings; we do not have any knowledge about what we should be doing on this.

This is clearly authorizing legislation. It has nothing to do with the appropriations bill; and yet, the Committee on Rules makes it in order. The Committee on Rules should not have made that in order. So four amendments do not belong in this bill. If they get attached to this bill, we are going to vote against this bill, and the President is going to veto the bill. They should not be in here. We should be giving credit where credit is due to the Committee on Appropriations for appropriating properly. If we were considering just an appropriations bill, we would have unanimous support for it, but we cannot go writing these kinds of laws on an appropriations bill.

So I strongly urge a ''no'' vote on the rule. We have a different situation this year from past years. Washington, D.C. is no longer a sharecropper's settlement on a congressional plantation. We should be treating them like every other city in our own Congressional districts and that is why we should vote ''no'' on the rule.

Mr. LINDER. Madam Speaker, I yield myself such time as required to explain that the only notice that the Committee on Rules got was that the gentlewoman from the District of Columbia (Ms. NORTON) had an amendment to introduce was not submitted to the Committee on Rules; she mentioned it in her testimony. It is a striking amendment, and it is in order.

Madam Speaker, I reserve the balance of my time.

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

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

Ms. KILPATRICK. Madam Speaker, I thank the gentleman for letting us know that the amendment has been stricken and made in order, that the Norton-Kilpatrick amendment will be able to be debated.

I rise in strong opposition to the rule. Madam Speaker, there are 500,000 people who choose to call Washington, D.C. their home. This rule is undemocratic, and it is unfair.

My colleagues may not know it, but the residents of D.C. pay both local and Federal taxes. Last year, some $4.2 billion worth of Federal taxes were paid, more than some States pay. My colleagues may not know it, but D.C.'s population is larger than three other States in our Union who are represented by two Senators, as well as Congress people in this House of Representatives.

The rule that was let yesterday from the Committee on Rules does not allow

the District to operate as any other American jurisdiction would be allowed to do so: with its own local tax base. I think it is unconscionable, it is undemocratic, and it is unfair.

Madam Speaker, D.C. residents are taxpaying American citizens and are denied full representation here in the Congress. Some of the amendments that are allowed in order ought not be in an appropriations bill, they should go through the regular process. It is a bad rule, it is unfair, it is undemocratic, and I urge my colleagues to vote ''no.''

Mr. FROST. Madam Speaker, I ask for a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. LINDER. Madam Speaker, I urge my colleagues to support this rule and have an open and honest debate on the important issues that the Nation is watching us for.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the resolution.

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

Mr. FROST. Madam 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, further proceedings on this question will be postponed.

## PROVIDING FOR CONSIDERATION OF H.R. 2605, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000

Mr. LINDER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 261 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 261

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4 of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or clause 5(a) of rule XXI are waived except as follows: page 7, line 1, through page 9, line 2; page 36, lines 21 through 25. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 261 is an open rule providing for consideration of H.R. 2605, the Energy and Water Appropriations bill for fiscal year 2000. The rule provides for 1 hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 4(a) of rule 13, which requires a 3-day layover of the committee report. The rule also waives clause 2 of Rule XXI, which prohibits unauthorized or legislative provisions in an appropriations bill, and it waives clause 5(a) of Rule XXI, which prohibits a tax or tariff provision in a bill reported by a committee with jurisdiction over revenue measures. These are waived against provisions in the bill, except as otherwise specified in the rule.

Madam Speaker, this rule accords priority in recognition to Members who have preprinted amendments in the CONGRESSIONAL RECORD. This will simply encourage Members to take advantage of the option in order to facilitate consideration of amendments on the House floor and to inform Members of the details of pending amendments.

The rule also provides that the Chairman of the Committee of the Whole may postpone recorded votes on any amendment, and that the Chairman may reduce voting time on postponed questions to 5 minutes, provided that the vote immediately follow another recorded vote, and that the voting time on the first in a series of votes is not less than 15 minutes. This will provide a more definite voting schedule for all Members and hopefully will help guarantee the timely completion of the appropriations bills.

House Resolution 261 also provides for one motion to recommit, with or without instructions, as is the right of the minority Members of the House.

Madam Speaker, House Resolution 261 is a typical open rule to be considered for general appropriations bills. This rule does not restrict the normal open amending process in any way, and any amendments that comply with the standing Rules of the House may be offered for consideration. While a vast number of amendments is not expected, the rule permits those Members who have amendments every opportunity to offer them.

Madam Speaker, H.R. 2605 appropriates a total of $20.2 billion in discretionary budget authority, which is $880 million below last year's level and $1.4 billion below the President's request. As we all know, the Committee on Appropriations has, once again, had to balance a wide array of interests and make tough choices with scarce resources. I commend the gentleman from California (Mr. PACKARD), the chairman of the subcommittee, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member for their work on this legislation.

Specifically, the bill provides $4.19 billion for the Corps of Engineers for civil projects such as flood control, shoreline protection and navigation and environmental projects, which is an increase of $91 million over last year's level. The bill also provides $784.7 million for the Bureau of Reclamation to maintain, operate, and rehabilitate Bureau projects and western water infrastructure, which is $2.6 million over last year's level.

As we keep our fiscal House in order, we must ensure that all funding is spent efficiently and where it is needed most. This bill achieves this goal. Notwithstanding the constraints we now face after decades of fiscal irresponsibility, H.R. 2605 effectively funds solar and renewable energy programs, nuclear energy programs, science programs, and atomic energy defense activities.

Madam Speaker, clearly the Department of Energy is a department that is plagued by mismanagement and abuse, and I want to comment on two specific provisions in this appropriations bill that the Committee on Appropriations has taken to reform and improve management and security.

First, the bill reduces contractor travel by 50 percent, a decrease of $125 million from last year's level. The General Accounting Office has reported widespread abuses of travel funds, excessive waste of taxpayers' money, and the overall use of contractors on Department of Energy programs. We cannot stand for this kind of mismanagement and waste, and I strongly support the significant reduction in funding for contractor travel in this bill.

I also wanted to comment on the bill's provisions that delays $1 billion in obligations for the Department of Energy until after June 30, 2000, and

until Congress has enacted legislation restructuring the national security program currently under the jurisdiction of the Department of Energy.

The security of our nuclear secrets is vital to this Nation and the Department of Energy has shown itself to be inept in the safeguarding of these secrets. While reports have indicated problems with the Department of Energy for years, the Department's confusing structure and overlapping lines of responsibility have continued to undermine any effort to improve security from within the Department. By withholding these funds until Congress restructures the national security program, we send a strong message that this Congress demands improved management and accountability when it comes to protecting nuclear secrets.

Madam Speaker, H.R. 2605 was favorably reported out of the Committee on Appropriations, as was this open rule by the Committee on Rules. I urge my colleagues to support the rule so that we may proceed with the general debate and consideration of this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Madam Speaker, I thank the gentleman from Georgia (Mr. LINDER), my colleague and friend, for yielding me the customary half hour, and I yield myself such time as I may consume.

Madam Speaker, I want to begin by congratulating my colleagues, the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the subcommittee, and the gentleman from California (Mr. PACKARD), the chairman of that subcommittee, for their very hard work. This is their first time steering the Energy and Water Development appropriations bills through committee and they have done an excellent job.

□ 1600

Even though this bill is very complicated, they managed to put together a bipartisan bill that was approved by the Committee on Appropriations on a voice vote. Madam Speaker, they deserve our gratitude and they deserve our congratulations.

Madam Speaker, like most appropriation bills, this bill is coming to the floor with an open rule that waives points of order against legislating on an appropriations bill, and I urge my colleagues to support it. In general, this is a very good bill which funds some very excellent energy and water infrastructure projects. Specifically, it provides $4.2 billion for the Army Corps of Engineers and $15.5 billion for the Department of Energy.

The Army Corps of Engineers will be able to continue their civil projects, like controlling floods, protecting our shorelines, and supporting navigational and environmental projects.

They will also receive $951 million in funding for the new Harbor Services Fund, which will make improvements, vast improvements, to our ports and help maintain our harbors. They also will receive $25 million for Challenge 21, which is a river restoration and flood mitigation program.

Madam Speaker, in addition to water projects, this bill also funds the Energy Department, which is responsible for atomic defense activities as well as conducting basic science and energy research activities, which are very, very important in today's high-tech world.

For instance, Madam Speaker, the Energy Department helps develop clean non-greenhouse gas power sources, but they might need more funding to do so. Otherwise our solar and renewable energy programs will take a back seat to those of other countries, and I believe the United States should be on the cutting edge.

Unfortunately, our Internet program was cut as well. This bill cuts funding for the next generation Internet program, also known as Internet 2. This program will help keep the United States on the cutting edge of information and communication technologies by making it easier for universities and government to conduct research using wider bandwidths.

Madam Speaker, now is not the time to be pulling away from the Internet, and I hope this funding can be restored. Furthermore, as it stands now, Madam Speaker, this bill contains some anti-environmental riders which will make it harder to protect wetlands and harder to protect communities against floods. Because of those anti-environmental riders, the administration is strongly opposed to this bill.

But under this open rule, the gentleman from Indiana (Mr. VISCLOSKY) will be able to offer an amendment which can get rid of those anti-wetland amendments and greatly improve the bill.

Once again, Madam Speaker, I congratulate the gentleman from California (Mr. PACKARD), the chairman, and the ranking member, the gentleman from Indiana (Mr. VISCLOSKY) for their very hard work, and I urge my colleagues to support this open rule and support the bill.

Madam Speaker, I reserve the balance of my time.

Mr. LINDER. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. PACKARD), the chairman of the Subcommittee on Energy and Water Development.

Mr. PACKARD. Madam Speaker, I thank the gentleman from Georgia for yielding time to me. I deeply appreciate the comments of both the gentleman from Georgia and the gentleman from Massachusetts on the rule.

Madam Speaker, this is an open rule. It is a fair rule, one that I totally support, and I want to encourage all the Members to support it, vote for it, and get on with the bill.

Mr. MOAKLEY. Madam Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Madam Speaker, I would like to use my time on the debate on the rule to do three things. The first is to indicate my support, as well, for passage of the rule. It is a good rule.

Secondly, I would like to thank the gentleman from California (Chairman PACKARD) and to thank all of my colleagues on both sides of the aisle on the committee, and to thank all of the staff for their hard work on this very good bill.

Given the allocations that the subcommittee faced, given the responsibilities that the subcommittee faced, and given the positioning we must place ourselves in to have a successful conference with the other body, I do believe that we have done a very good job.

Having said that, I want to use the remainder of my time to set the stage for the amendment I will offer to the bill. The issue deals with the question of the Clean Water Act, current permitting processes that are violative of the Clean Water Act, and the preservation of wetlands in this country.

Wetlands are key in the United States of America, and are vital as far as flood protection. Wetlands are essential as far as our water quality. They are valuable as far as the preservation of wildlife habitat, and they are critical for recreational opportunities. We are losing the benefit of these wetlands, and if the language contained in the bill today is not stripped out, we will lose additional wetlands in an unwarranted fashion.

When European settlers began to come to North America, there were 220 million acres of wetlands. As the chart indicates, in 1995, according to the Department of Agriculture, there are only 124 million acres left. According to the Army Corps of Engineers, the Fish and Wildlife Service, and the Environmental Protection Agency, we continue to lose 70,000 to 90,000 acres of precious wetlands every year, and this must stop.

Beginning under the Reagan administration in 1985, it became the policy of our national government to do something about this issue. The ante was upped, so to speak, in 1989 under President Bush.

I have a statement for my colleagues from President Bush dated June 8, 1989. Essentially, the President said that somewhere around 1989 he would hope that future generations begin to understand that things changed and we began to hold onto our parks and refuges, and we protected our species. In that year, under the Bush administration, the seeds of a new policy about our valuable wetlands were sown, a policy summed up in three simple word by President Bush: ''No net loss.''

The legislative riders that again I believe are violative of the Clean Water Act and will lead to the loss of additional wetlands are strongly opposed by the Army Corps of Engineers. They are strongly opposed by the Federal

Emergency Management Administration. They are strongly opposed by the Environmental Protection Agency.

It is my understanding that the President has indicated the bill would be vetoed if these anti-environmental riders were not stripped from the bill. This is a serious and fundamental issue. I would remind all of my colleagues that this is only the second time in 21 years that an administration has issued a veto threat on this bill. We are talking about a major and substantive change.

I would remind my colleagues as well that in the last three Congresses, over 225 bills have been introduced on wetlands and the Clean Water Act. We have not been able to solve some of the conflicting positions and opinions through the authorization process. This is not the time, this is not the vehicle, to do this.

I would encourage all of my colleagues to listen to the debate and to support my amendment during consideration of the bill to strip this rider out. That is my one fundamental objection. It is a serious difference of opinion. It is the only one, I would point out, that I have with the chairman of the committee.

Mr. MOAKLEY. Madam Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Madam Speaker, I thank the gentleman from Massachusetts for yielding time to me.

I rise in support of the rule and in general support of this bill. This is an important bill for our country. It is especially important for Colorado, as well, because it provides the funding for continuing work on the critical task of cleaning up Rocky Flats, the former atomic weapons facility.

The flats sits near the heart of the Denver-Boulder metropolitan area, which is home to more than 2 million people. It has extensive amounts of hazardous materials. For all Coloradans it is a matter of highest priority to have Rocky Flats cleaned up efficiently, safely, and promptly.

In 1997, the DOE designated the Rocky Flats site as a pilot for accelerated clean-up and closure, and is working to finish cleaning it up in time for closure in the year 2006. I strongly support this effort, as does the entire Colorado delegation here in the House and the other body as well. So I am very glad the bill includes the amount requested in the President's budget for the Rocky Flats closure fund.

I want to thank the gentleman from California (Chairman PACKARD) and the gentleman from Alaska (Chairman YOUNG), and the ranking members, the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from Wisconsin (Mr. OBEY), for their leadership and for recognizing the importance of this undertaking for Colorado and our Nation.

I also appreciate the inclusion in this bill of funds for the work of the DOE's Office of Worker and Community Transition. The activities of this office, which implements the so-called 3161 program, are essential if we are truly to keep faith with the Cold War warriors who worked at Rocky Flats and at the other sites in the DOE's nuclear weapons complex.

In addition, funding through this office is very important to assist the local communities as they work to adjust to ongoing changes now underway at Rocky Flats, and those that will come after clean-up and closure are achieved.

For example, a number of these communities have joined together to form the Rocky Flats Coalition of Local Governments. This organization, working with other communities and groups, can play a vital role in building consensus about the future uses of both the open space buffer zone and the more intensively developed industrial zone, as well.

So I regret that the bill does not provide all the funds requested by the President for worker and community transition purposes. However, I do understand the tighter constraints under which the Committee on Appropriations has had to work, and I hope that as we proceed with the legislative process, it will be possible to increase that amount to a level more adequate to the program's important purposes.

However, I am very concerned about the language in the committee report suggesting that the DOE ''should prepare for significantly decreased or no funding in fiscal year 2001 for implementing these 3161 programs.'' Terminating or even deeply reducing this fund next year would not be wise or appropriate. It would be a serious breach of faith with our Cold War veterans, and would make it that much harder for local communities to adequately respond to the changed circumstances at Rocky Flats and elsewhere throughout the complex of DOE sites. So I urge the committee to rethink this point, and to refrain from such an approach when it develops next year's bill.

In addition, there are a couple of areas where I think the bill needs improvement. For example, there are provisions related to wetlands that I think should not be included. I think the bill would be better if it did not include language that could make it harder for us to take action to deal with problems associated with climate change and global warming.

I also have some concerns about the bill's provisions as they could affect the Western Power Administration and related entities. In my view, though, the most troublesome aspect of the bill is the inadequate funding it would provide for the DOE's very important programs related to solar and renewable energy, both here at home and internationally, as well.

Working with others on both sides of the aisle, the gentleman from Arizona (Mr. SALMON) and I have been working hard to improve this part of the bill to make it even more balanced and a better measure.

I will have more to say regarding the solar and renewable energy programs, but for now let me reiterate my appreciation for the hard work of the Members and staff of the Subcommittee on Energy and Water Development, and the entire Committee on Appropriations.

I urge support for the rule.

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

Mr. MOAKLEY. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Madam Speaker, I rise in support of both the rule and H.R. 2065, the fiscal year 2000 Energy and Water Development Appropriations Act, and also in support of the rule.

I want to thank the gentleman from California (Chairman PACKARD) and also our ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for their continued support for the Houston-Galveston navigation project. I also want to thank all the Members of that committee, and particularly the gentleman from Texas (Mr. EDWARDS) for his leadership.

For two consecutive years, the Congress has appropriated sufficient funds to complete the widening and deepening of the Houston Ship Channel project in 4 years. This fiscal year, the $60 million appropriation in this bill ensures we will maintain the optimum construction schedule.

Maintaining this schedule is important because it will add an additional $281 million to the project's rate of investment, return on investment, and save taxpayers $63.5 million in increased escalation and investment costs.

The expansion of the Houston Ship Channel is important on many levels. The port of Houston, connected to the Gulf of Mexico by the 50-mile ship channel, is ranked first in foreign tonnage and second in total tonnage among U.S. ports and eighth in total tonnage among world ports.

With more than 7,000 vessels navigating the channel annually and an anticipated increase over the next few years, the widening and deepening is a necessary step in safeguarding the safety and economic viability of the port and the city of Houston.

The port of Houston provides $5.5 billion in annual business revenues, and creates 196,000 direct and indirect jobs. By generating $300 million annually in customs fees and $213 million annually in State and local taxes, the Houston-Galveston navigation project will more than pay for itself.

I appreciate the subcommittee's support, and ask my colleagues to support both this rule and the bill.

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

Mr. MOAKLEY. Madam Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

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

Madam Speaker, there is legislation contained in this bill before us that is protected by the rule, legislating on an appropriations bill. This legislation that pertains to the Bonneville Power Administration is very, very problematic, and in fact, is contradicted by language in the manager's report. But, of course, we know the language in the manager's report does not hold sway over legislative provisions contained within the bill protected by the rule, riders on the bill.

There are two provisions that are aimed at Bonneville Power Administration and other Federal power marketing agencies that are damaging and very ill-informed. One is incredibly broad, and it would repeal legislation Congress passed by a large majority in the 1992 Energy Policy Act.

□ 1615

It allowed the Bonneville Power Administration to directly fund operations and maintenance at hydroelectric facilities operated by the Army Corps and the Bureau of Reclamation in the Pacific Northwest.

For years, we had a horrendous backlog and horrendous inefficiency. But then this amendment passed. In fact, now unlike other Federal power marketing agencies and systems around the country, we are pretty much up to date, and it is working very efficiently and effectively, both for the Federal taxpayers and for the region.

Why would this bill repeal that? It is some sort of strange flat-earth view of competition that does not exist and cannot effectively deal with the problem and did not before we had a change in the statute.

Secondly, the bill would prevent Bonneville Power Administration and other PMAs from cooperating with the utility customers to properly maintain the regional transmission grades.

Here we are worried about system reliability across the country which carries both public and private power, and we are going to undermine that in this bill. That is not a good move for the West or even the Southeast in terms of the Tennessee Valley Authority and other PMAs. It is very damaging. In fact, it is so damaging that I will have to vote against the entire bill, and I would urge other western Members to do the same.

Finally, there is a provision that forces BPA to discontinue an important infrastructure development. BPA is installing a fiberoptic network on its transmission towers to improve its communication and its dispatch of power. It is good business. They need to do it.

At virtually no incremental cost, they could provide excess capacity to remote rural communities who will never see in this century or even in the next century for 20 or 30 years a private provider stringing fiberoptics to their communities.

BPA owns 80 percent of the transmission. It does not, by policy, allow other people to access or hang things on its transmission. They are the only alternative out there. In some, again, misguided attempt to bring about competition that does not exist, and if it did exist, I would not be up here on that particular issue and prohibit them from using their excess capacity at no incremental cost to provide services to those communities.

These are ill-intentioned. They are not overcome by the manager's language. I urge colleagues to vote against the entire bill unless these are fixed.

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

Mr. LINDER. Madam Speaker, I urge my colleagues to support this open rule. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mrs. EMERSON). The pending business is the question of agreeing to the resolution, House Resolution 260, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 201, not voting 5, as follows:

[Roll No. 339]

YEAS—227

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Gutierrez
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders

| | | |
|---|---|---|
| Sandlin | Stark | Velazquez |
| Sawyer | Stenholm | Vento |
| Schakowsky | Strickland | Visclosky |
| Scott | Stupak | Waters |
| Serrano | Tanner | Watt (NC) |
| Sherman | Tauscher | Waxman |
| Shows | Thompson (CA) | Weiner |
| Sisisky | Thompson (MS) | Wexler |
| Skelton | Thurman | Weygand |
| Slaughter | Tierney | Wise |
| Smith (WA) | Towns | Woolsey |
| Snyder | Turner | Wu |
| Spratt | Udall (CO) | Wynn |
| Stabenow | Udall (NM) | |

NOT VOTING—5

| | | |
|---|---|---|
| Chenoweth | McDermott | Peterson (PA) |
| Cummings | Oberstar | |

□ 1640

Mr. CRAMER changed his vote from ''yea'' to ''nay.

Mr. GOODLATTE changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. PACKARD. Madam 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. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

## ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to House Resolution 261 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2605.

□ 1642

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes, with Mr. Hansen in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. PACKARD) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

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

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

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

Mr. PACKARD. Mr. Chairman, it is my privilege to present to the Committee of the Whole for its consideration the bill H.R. 2605, making appropriations for energy and water development for the fiscal year ending September 30, 2000.

Mr. Chairman, this bill provides annual funding for a wide array of Federal Government programs involving such diverse matters as national security, environmental cleanup, flood control, advanced scientific research, navigation, alternative energy sources, and the nuclear power regulation.

□ 1645

Programs funded by this bill affect multiple aspects of American life, having significant implications for domestic security, commercial competitiveness, and the advance of science.

I am proud of the bill reported by the Committee on Appropriations without amendment, and I believe it merits the support of the entire membership of this body.

Perhaps the most remarkable aspect of this bill is its constrained size. The measure represents an unqualified victory for fiscal austerity, conservativism, and responsibility.

Total funding for the energy and water bill in H.R. 2605 is $20.19 billion. This is more than $900 million below the fiscal year 1999 baseline for energy and water development programs. Further, it is $1.4 billion below the budget request and more than $1 billion less than the energy and water bill passed by the Senate earlier this year.

Mr. Chairman, the substantial cuts contained in H.R. 2605 are real. They are not produced by smoke and mirrors gimmicks or creative accounting. They, rather, are the result of a fiscal discipline demanding reduction in the size, scope, and cost of the Federal Government.

Despite the bill's deep programmatic reductions, it provides adequate funding for the continuation of high priority programs, promising the greatest return on the investment of taxpayer dollars.

The cost-effective civil works program of the U.S. Army Corps of Engineers, for example, is funded at a level significantly higher than the budget request and slightly higher than the fiscal year 1999 level. This funding is more than offset by considerable reductions in the Department of Energy.

The bill requires, for example, a reduction of $125 million in DOE contractor travel expenses. This is one-half the level of this current year. And, as my colleagues all know, we have received documented evidence of abusive travel in that Department.

Mr. Chairman, I owe a great debt of gratitude to the hard-working members of the Subcommittee on Energy and Water Development. They have labored hard under difficult fiscal constraints to provide a bill that is balanced and fair.

I especially want to express my gratitude to the ranking minority member, the honorable gentleman from Indiana (Mr. VISCLOSKY). He has been extremely helpful. Together we have developed a good bill. I know there are one or two items of disagreement, but overall I think both of us support a very good bill.

I am very proud of his efforts and pleased that we have worked as well as we have together. It is in large part due to his effort that we present this bill that merits the support of all the Members on final passage.

Mr. Chairman, I urge all Members to support H.R. 2605 as reported by the Committee on Appropriations.

Mr. Chairman, it is my privilege to present to the Committee of the Whole for its consideration H.R. 2605, making appropriations for energy and water development for the fiscal year ending September 30, 2000. Mr. Chairman, this bill provides annual funding for a wide array of Federal government programs, comprehending such diverse matters as national security, environmental cleanup, flood control, advanced scientific research, navigation, alternative energy sources, and nuclear power regulation. Programs funded by this bill affect multiple aspects of American life, having significant implications for domestic security, commercial competitiveness, and the advance of science. I am proud of the bill reported by the Committee on Appropriations without amendment, and I believe it merits the support of the entire membership of this body.

Perhaps the most remarkable aspect of this bill is its constrained size. The measure represents an unqualified victory for fiscal austerity, conservatism and responsibility. Total funding for energy and water programs in H.R. 2605 is $20.19 billion. This is more than $900 million below the fiscal year 1999 baseline for energy and water development programs. Furthermore, it is $1.4 billion below the budget request and more than $1 billion less than the Energy and Water Bill passed by the Senate earlier this summer.

Mr. Chairman, the substantial cuts contained in H.R. 2605 are real. They are not produced by smoke and mirrors, gimmicks, or creative accounting. Rather, they are the result of a fiscal discipline demanding reduction in the size, scope and cost of the Federal government.

Despite the bill's deep programmatic reductions, it provides adequate funding for the continuation of high-priority programs promising the greatest return on the investment of taxpayers dollars. The cost-effective civil works program of the U.S. Army Corps of Engineers, for example, is funded at a level significantly higher than the budget request and slightly higher than fiscal year 1999. This funding is more than offset by considerable reductions in the Department of Energy. The bill requires, for example, a reduction of $125 million in DOE contractor travel expenses, an area of documented abuse.

Title I of the bill provides funding for the civil works program of the Corps of Engineers. The Subcommittee on Energy and Water Development is unanimous in its belief that this program is among the most valuable within the Subcommittee's jurisdiction. The national benefits of projects for flood control, navigation

and shoreline protection demonstrably exceed project costs. The bill acknowledges the importance of water infrastructure by funding the civil works program at $4.19 billion, an increase of $91 million over the fiscal year 1999 level and $283 million over the amount requested by the Administration.

Within the amount appropriated to the Corps of Engineers, $159 million is for general investigations, $1.413 billion is for the construction program, and $1.888 billion is for operation and maintenance. In addition, the bill includes $313 million for the Flood Control, Mississippi River and Tributaries, project. This is an increase of $33 million over the Administration's patently inadequate budget request. The bill also fully funds the budget request for the regulatory program, general expenses, and the Formerly Utilized Sites Remedial Action Program.

Mr. Chairman, funding for title II, most of which is for the U.S. Bureau of Reclamation, totals $822 million—a reduction of less than $3 million below the fiscal year 1999 level. The bill includes level funding of $75 million for the CALFED Bay-Delta restoration program and fully funds the budget request for the Central Valley Project restoration fund and the Bureau of Reclamation loan program.

Substantial reductions are included throughout title III of the bill, which funds the Department of Energy. DOE spending reductions, however, are not applied indiscriminately. The Committee has examined each program to determine its relative value and merit. As a consequence, the bill includes more than $2.7 billion for the science programs of DOE. This represents an increase of $36 million over the fiscal year 1999 level and reflects our commitment to protecting the Federal investment in our national scientific infrastructure.

Funding for energy supply programs of the Department totals $578 million. This includes $326 million for research and development of solar and renewable energy technologies. Although this falls short of the Administration's unrealistic budget request, it is a substantial and credible level of funding. Given the Department's historical difficulties in executing these programs, I submit that the recommendation is more than generous.

The energy supply account also includes $266 million for nuclear energy programs. The bill provides $20 million, an increase of $1 million over last year's level, for the nuclear energy research initiative. It also includes $5 million, the full amount of the budget request, to initiate the nuclear energy plant optimization program.

The largest spending category in the Energy and Water Bill is that of environmental restoration and waste management at Department of Energy sites. Funding for cleanup activities in title III of the bill exceeds $6 billion—more than $5.44 billion for defense-related cleanup and more than $560 million for non-defense cleanup activities. The Committee is dedicated to the environmental restoration of areas that participated in the development and maintenance of our nuclear weapons complex. This bill reflects the Committee's continued efforts to promote actual, physical site cleanups and to accelerate the completion of remediation work at DOE sites. Accordingly, the Committee has provided $1.05 billion, the full amount of the budget request, for defense facilities closure projects. This account concentrates funding on discrete sites that are on schedule for cleanup completion by the year 2006.

The bill includes $4 billion for weapons activities of the Department of Energy. This considerable amount should be sufficient to provide for legitimate requirements of stockpile stewardship and management in the coming year. When Congress agreed to initiate the science-based stockpile stewardship program of the Department, it did so based on the pretense that funding for weapons activities would be contained at $4 billion a year for ten years. In the few short years since this program's initiation, however, weapons funding has steadily climbed to $4.4 billion in fiscal year 1999, and the budget requests a further increase of $124 million for fiscal year 2000. The Department has demonstrated neither the capacity nor the commitment to contain program expenses, leaving it to Congress to rein in these runaway costs.

In recognition that the national security programs of DOE must be reorganized, the bill includes language fencing $1 billion of the $4 billion weapons appropriation until such time as the national security programs of the Department have been restructured or an independent agency for national security programs has been established. We will not continue to pour money into a dysfunctional security operation without the promise of meaningful reform.

Section 317 of H.R. 2605 contains language intended to impose limits on the ability of Federal power marketing administrations to compete with the private sector in certain areas outside the sale of electricity. It is the intention of the House Managers that this section not vitiate or adversely impact any of the self-financed or ongoing direct financing relationships for power operations and maintenance or power capital rehabilitation between the power marketing administrations (PMAs) and the Bureau of Reclamation or the U.S. Army Corps of Engineers. Likewise, the House Managers do not interpret this provision to impair the ability of PMAs to aid their customers, other utilities, state and local and other Federal government entities or the public in cases of emergencies or disruption of electrical service where assistance is not otherwise available to the requesting entity. Also, it is not the intent of the legislation to prohibit or disrupt the ability of PMAs to carry out the electrical transmission interconnection mandates of the Federal Energy Regulatory Commission's open access Orders Numbers 888 and 889. Finally, it is not the intent of the provision to disrupt any Y2K planning, testing and modifications necessary for the continued reliability of PMA electrical systems.

Title IV of the bill provides funding for certain independent agencies of the Federal government, including the Nuclear Regulatory Commission, the Appalachian Regional Commission, the Defense Nuclear Facilities Safety Board, and the Nuclear Waste Technical Review Board. Reductions in spending for independent agencies over the past five years have been nothing short of remarkable. In fiscal year 1995, Congress appropriated $470 million for title IV programs. The comparable figure for fiscal year 2000 is $84 million, a reduction of 82%. The bill provides no funding for the Tennessee Valley Authority, eliminating appropriated subsidies to that New Deal-era electric utility.

Mr. Chairman, I owe a debt of gratitude to the hard-working and dedicated Members of the Subcommittee on Energy and Water Development. They have labored under difficult fiscal constraints to produce a bill that is balanced and fair. I am especially grateful to the Ranking Minority Member, the Honorable PETE VISCLOSKY. It is in large part due to his efforts that we present a bill that merits the support of all Members of the House.

Mr. Chairman, I urge all Members to support H.R. 2605 as reported by the Committee on Appropriations.

## ENERGY AND WATER APPROPRIATIONS BILL, 2000 (H.R. 2605)
### (Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF DEFENSE - CIVIL | | | | | |
| DEPARTMENT OF THE ARMY | | | | | |
| Corps of Engineers - Civil | | | | | |
| General investigations | 161,747 | 135,000 | 158,993 | -2,754 | +23,993 |
| Construction, general | 1,429,885 | 1,239,900 | 1,412,591 | -17,294 | +172,691 |
| Supplemental appropriations (P.L. 105-277) | 35,000 | ..... | ..... | -35,000 | ..... |
| Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee | 321,149 | 280,000 | 313,324 | -7,825 | +33,324 |
| Emergency appropriations (P.L. 105-277) | 2,500 | ..... | ..... | -2,500 | ..... |
| Operation and maintenance, general | 1,653,252 | 1,835,900 | 1,888,481 | +235,229 | +52,581 |
| Emergency appropriations (P.L. 105-277) | 99,700 | ..... | ..... | -99,700 | ..... |
| Regulatory program | 106,000 | 117,000 | 117,000 | +11,000 | ..... |
| FUSRAP | 140,000 | 150,000 | 150,000 | +10,000 | ..... |
| General expenses | 148,000 | 148,000 | 148,000 | ..... | ..... |
| Total, title I, Department of Defense - Civil | 4,097,233 | 3,905,800 | 4,188,389 | +91,156 | +282,589 |
| TITLE II - DEPARTMENT OF THE INTERIOR | | | | | |
| Central Utah Project Completion Account | | | | | |
| Central Utah project construction | 25,741 | 21,002 | 20,431 | -5,310 | -571 |
| Fish, wildlife, and recreation mitigation and conservation | 10,476 | 12,047 | 10,476 | ..... | -1,571 |
| Utah reclamation mitigation and conservation account | 5,000 | 5,000 | 5,000 | ..... | ..... |
| Subtotal | 41,217 | 38,049 | 35,907 | -5,310 | -2,142 |
| Program oversight and administration | 1,283 | 1,321 | 1,283 | ..... | -38 |
| Total, Central Utah project completion account | 42,500 | 39,370 | 37,190 | -5,310 | -2,180 |
| Bureau of Reclamation | | | | | |
| Water and related resources | 617,045 | 652,838 | 604,910 | -12,135 | -47,928 |
| (By transfer) | (25,800) | ..... | ..... | (-25,800) | ..... |
| Supplemental appropriations (P.L. 106-31) | 1,500 | ..... | ..... | -1,500 | ..... |
| Loan program | 8,421 | 12,425 | 12,425 | +4,004 | ..... |
| (Limitation on direct loans) | (38,000) | (43,000) | (43,000) | (+5,000) | ..... |
| Central Valley project restoration fund | 33,130 | 47,346 | 47,346 | +14,216 | ..... |
| California Bay-Delta ecosystem restoration | 75,000 | 95,000 | 75,000 | ..... | -20,000 |
| Policy and administration | 47,000 | 49,000 | 45,000 | -2,000 | -4,000 |
| Total, Bureau of Reclamation | 782,096 | 856,609 | 784,681 | +2,585 | -71,928 |
| Total, title II, Department of the Interior | 824,596 | 895,979 | 821,871 | -2,725 | -74,108 |
| (By transfer) | (25,800) | ..... | ..... | (-25,800) | ..... |
| TITLE III - DEPARTMENT OF ENERGY | | | | | |
| Energy supply | 727,091 | 834,791 | 577,579 | -149,512 | -257,212 |
| (By transfer) | ..... | (5,821) | (5,821) | (+5,821) | ..... |
| Supplemental appropriations (P.L. 105-277) | 60,000 | ..... | ..... | -60,000 | ..... |
| Non-defense environmental management | 431,200 | 330,934 | 327,223 | -103,977 | -3,711 |
| Uranium enrichment decontamination and decommissioning fund | 220,200 | 240,198 | 240,198 | +19,998 | ..... |
| Science | 2,682,860 | 2,839,178 | 2,718,647 | +35,787 | -120,531 |
| Supplemental appropriations (P.L. 105-277) | 15,000 | ..... | ..... | -15,000 | ..... |
| Nuclear Waste Disposal | 169,000 | 258,000 | 169,000 | ..... | -89,000 |
| (By transfer) | ..... | (39,000) | ..... | ..... | (-39,000) |
| Departmental administration | 200,475 | 240,377 | 193,769 | -6,706 | -46,608 |
| Miscellaneous revenues | -136,530 | -116,887 | -106,887 | +29,643 | +10,000 |
| Net appropriation | 63,945 | 123,490 | 86,882 | +22,937 | -36,608 |
| Y2K conversion (emergency appropriations) | 10,000 | ..... | ..... | -10,000 | ..... |
| Office of the Inspector General | 29,000 | 30,000 | 30,000 | +1,000 | ..... |
| Environmental restoration and waste management: | | | | | |
| Defense function | (5,576,824) | (5,785,768) | (5,440,250) | (-136,574) | (-345,518) |
| Non-defense function | (651,400) | (571,132) | (567,421) | (-83,979) | (-3,711) |
| Total | (6,228,224) | (6,356,900) | (6,007,671) | (-220,553) | (-349,229) |
| Atomic Energy Defense Activities | | | | | |
| Weapons activities | 4,400,000 | 4,524,900 | 4,000,000 | -400,000 | -524,900 |
| Defense environmental restoration and waste management | 4,310,227 | 4,503,276 | 4,157,758 | -152,469 | -345,518 |
| Y2K conversion (emergency appropriations) | 10,340 | ..... | ..... | -10,340 | ..... |
| Defense facilities closure projects | 1,038,240 | 1,054,492 | 1,054,492 | +16,252 | ..... |
| Y2K conversion (emergency appropriations) | 3,500 | ..... | ..... | -3,500 | ..... |
| Defense environmental management privatization | 228,357 | 228,000 | 228,000 | -357 | ..... |
| Subtotal, Defense environmental management | 5,590,664 | 5,785,768 | 5,440,250 | -150,414 | -345,518 |
| Other defense activities | 1,696,676 | 1,797,991 | 1,651,809 | -44,867 | -146,182 |
| Emergency appropriations (P.L. 105-277) | 525,000 | ..... | ..... | -525,000 | ..... |
| Y2K conversion (emergency appropriations) | 13,650 | ..... | ..... | -13,650 | ..... |
| Defense nuclear waste disposal | 189,000 | 112,000 | 112,000 | -77,000 | ..... |
| Total, Atomic Energy Defense Activities | 12,414,990 | 12,220,659 | 11,204,059 | -1,210,931 | -1,016,600 |
| Power Marketing Administrations | | | | | |
| Operation and maintenance, Southeastern Power Administration | 7,500 | ..... | ..... | -7,500 | ..... |
| Operation and maintenance, Southwestern Power Administration | 26,000 | 27,167 | 27,167 | +1,167 | ..... |
| (By transfer) | ..... | (773) | (773) | (+773) | ..... |

## ENERGY AND WATER APPROPRIATIONS BILL, 2000 (H.R. 2605)—Continued
## (Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Construction, rehabilitation, operation and maintenance, Western Area Power Administration | 203,000 | 171,471 | 171,471 | -31,529 | ..... |
| Falcon and Amistad operating and maintenance fund | 1,010 | 1,309 | 1,309 | +299 | ..... |
| Total, Power Marketing Administrations | 237,510 | 199,947 | 199,947 | -37,563 | ..... |
| Federal Energy Regulatory Commission | | | | | |
| Salaries and expenses | 167,500 | 179,900 | 174,950 | +7,450 | -4,950 |
| Revenues applied | -167,500 | -179,900 | -174,950 | -7,450 | +4,950 |
| Total, title III, Department of Energy | 17,060,796 | 17,077,197 | 15,553,535 | -1,507,261 | -1,523,662 |
| Appropriations | (16,423,306) | (17,077,197) | (15,553,535) | (-869,771) | (-1,523,662) |
| Supplemental appropriations | (75,000) | ..... | ..... | (-75,000) | ..... |
| Emergency appropriations | (525,000) | ..... | ..... | (-525,000) | ..... |
| Y2K conversion (emergency appropriations) | (37,490) | ..... | ..... | (-37,490) | ..... |
| TITLE IV - INDEPENDENT AGENCIES | | | | | |
| Appalachian Regional Commission | 66,400 | 66,400 | 60,000 | -6,400 | -6,400 |
| Defense Nuclear Facilities Safety Board | 16,500 | 17,500 | 16,500 | ..... | -1,000 |
| Denali Commission | 20,000 | ..... | ..... | -20,000 | ..... |
| Rescission | ..... | ..... | -18,000 | -18,000 | -18,000 |
| Nuclear Regulatory Commission: | | | | | |
| Salaries and expenses | 465,000 | 465,400 | 455,400 | -9,600 | -10,000 |
| Revenues | -444,800 | -442,400 | -432,400 | +12,400 | +10,000 |
| Subtotal | 20,200 | 23,000 | 23,000 | +2,800 | ..... |
| Office of Inspector General | 4,800 | 6,000 | 6,000 | +1,200 | ..... |
| Revenues | -4,800 | -6,000 | -6,000 | -1,200 | ..... |
| Subtotal | ..... | ..... | ..... | ..... | ..... |
| Total | 20,200 | 23,000 | 23,000 | +2,800 | ..... |
| Nuclear Waste Technical Review Board | 2,600 | 3,150 | 2,600 | ..... | -550 |
| Tennessee Valley Authority: Tennessee Valley Authority Fund | ..... | 7,000 | ..... | ..... | -7,000 |
| Supplemental appropriations (P.L. 105-277) | 50,000 | ..... | ..... | -50,000 | ..... |
| Total, title IV, independent agencies | 175,700 | 117,050 | 84,100 | -91,600 | -32,950 |
| Grand total: | | | | | |
| New budget (obligational) authority | 22,158,325 | 21,996,026 | 20,647,895 | -1,510,430 | -1,348,131 |
| Appropriations | (21,493,635) | (21,996,026) | (20,665,895) | (-827,740) | (-1,330,131) |
| Rescissions | ..... | ..... | (-18,000) | (-18,000) | (-18,000) |
| Emergency appropriations | (664,690) | ..... | ..... | (-664,690) | ..... |
| (By transfer) | (25,800) | (45,594) | (6,594) | (-19,206) | (-39,000) |

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

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

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

Mr. VISCLOSKY. Mr. Chairman, I would again begin, as I did under the rule, to thank the chairman and all of the members for their good work and for this nonpartisan bill that is before the House today but to reiterate, as the chairman alluded to in his remarks during general debate, that there is one fundamental disagreement. That is two environmental riders that were added to the legislation. During the amendment process, I will have an amendment to remove those.

I would like to use my time during the general debate to set the stage for the House, if I could, on the two issues before us. Both deal with the Army Corps. Both deal with wetlands. Both deal with the Clean Water Act. If they are not removed from the legislation, the administration has indicated that they would veto the legislation because they are now included.

I would suggest to the body that they should be removed today.

The first deals with the issue of jurisdictional appeal. Today if a property owner wants to find out if there is a wetland on his or her property, they would approach the Corps and receive a determination. If the determination is not satisfactory to the property owner, they would then proceed to the permitting process and thereafter have jurisdiction to go to the U.S. Federal courts.

The Corps, since 1996, and the administration has recognized that this is not good policy. I would acknowledge to all of my colleagues it is not good policy and it ought to change.

That is what they are about, to promulgate an administrative appeal process so that if a property owner is aggrieved, there is an appeal process within the Corps itself before recourse is taken, especially to the Federal courts. I think that that is what we should be about and that is the process that we should retain.

In the bill, $5 million is included to fully fund the completion and implementation of this appeal process. And we call upon the Corps to do it as expeditiously as possible.

I think that the language that was approved by the other body is acceptable and that the offending language on the jurisdictional issue goes for one final portion talking about final agency action.

What the gentleman from California (Mr. PACKARD) would do in the legislation is to suggest that if an appeal is taken, it would be considered a final agency action and that the property owner could then go to Federal court without first seeking a permit.

I do not believe that this is appropriate policy, because a jurisdictional determination, first of all, does not restrict use of the property. It simply suggests that a permit would be necessary and 95 percent of the permits requested are granted.

Instead of expediting the process, and that is certainly what I think most people want to see encouraged on both sides of the political aisle, it would result in delay. Because instead of people and personnel at the Corps considering permit evaluations and considering other matters dealing with wetland and expeditious consideration, they would be defending those actions in Federal court. It would burden the courts. It would burden the Department of Justice and it certainly is a burden to the Corps.

Finally, it seeks remedy where there is no harm. The issue only arises if there is a wetland. And it is the primary policy of this Nation it preserve those wetlands. And it only occurs if a permit is required.

So I would suggest at this point in time the language that is included in the bill would simply lead to more litigation, and it would not solve the problem as intended.

The second issue refers to a program called Permit 26. And essentially today, and since about 1977, there are 37 different general permits that the Corps of Engineers established to again expedite the process. They are meant to protect wetlands. They are meant to facilitate implementation of the Clean Water Act. If a certain criteria is not met under general permitting, then an individual permit would be necessitated.

Permit 26 is the only one of the 37 that does not meet the standards of the Clean Water Act because it is based on size and acreage and not on activity.

The administration recognized this in 1996 and began to develop a permitting process that is activity based. In 1996, they reduced acreage and allowed the Permit 26 to continue 2 years while this program proceeded. On July 1 of last year, the situation was extended until March of this year, and comments were solicited from the public.

In October of last year, one of the six activities that had been proposed by the Corps based on the comments received were withdrawn, that dealing with master plan development. The Corps heard the concern of property owners, developers, and landowners. An additional comment period was set aside in September of last year.

As we speak, a third comment period relative to this permitting process is now underway. It began on July 21 to make sure that the public input is provided.

It is anticipated, as with the jurisdictional issue, that this permitting situation will be resolved and a final process will be put into place by the end of this year. I think it is inappropriate for us to intervene in an extraordinary fashion to now delay that implementation after the Corps has worked so hard to ensure that it is put in place this year.

I am very concerned about this provision. This is not something that is minor or insignificant. And again, I would remind all of my colleagues that FEMA, the EPA, the Army Corps of Engineers have strongly objected and the administration has now issued a veto threat.

I do believe that the language ought to be removed.

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

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS) a member of the full committee and also a member of the subcommittee.

Mr. ROGERS. Mr. Chairman, I rise in strong support of this bill and commend it to the body.

In his first year as chairman, our good friend the gentleman from California (Mr. PACKARD) has done an outstanding job. He has taken the courageous approach to producing this bill, working with a lot less money than his predecessors. He compensated for that with difficult but justified decisions throughout the bill.

This bill restores the public works programs of the Army Corps of Engineers, maintaining commitments between the Federal Government and communities across the Nation for flood control, navigation, and shoreline protection.

The President's requested budget ignored many ongoing projects and zeroed them out, while at the same time he proposed $80 million in brand new activities.

The administration adopted the practice of low-balling the annual Corps budget, leaving ongoing projects dangling and walking away from front-line responsibilities that Congress has directed and the Corps has proceeded with.

We on the subcommittee have repeatedly hammered the White House for that practice because it breaks the faith between the Congress the Corps and our communities. It is an irresponsible approach to budgeting for our Nation's needs, and our constituents deserve better.

Fortunately, we have the gentleman from California (Mr. PACKARD) at the helm; and this bill goes a long way towards getting these projects back on track. The recommendation of $4.2 billion will ensure that these vital national priorities are adequately funded.

In addition, Mr. Chairman, I want to speak very briefly in favor of the bill's provisions regarding wetland permitting.

We have been hearing and we will hear more from the opponents on this issue claiming that the bill reduces Federal protections and allows expanded development on remaining wetland. Simply put, that accusation is false. Neither the intent nor the impact of these provisions will be harmful to the environment.

With regards to the administrative appeals process, the bill's provisions

merely reflect what the administration expressed support for some time ago. But despite report language in both the 1998 and 1999 bills giving the Corps the direction and the resources to implement an administrative appeals process for jurisdictional wetlands, nothing has happened.

The underlying provisions in this bill in no way undermine public interest groups' rights in the appeals process. It merely gives private property owners, those most affected by the jurisdictional determination, the same rights now afforded to our environmental interest group friends.

The language currently in the bill is a common-sense measure and should have been implemented by the Corps some time ago. I urge the House to support it.

In closing, I will just say that the gentleman from California (Mr. PACKARD) and his very capable staff have put together something we can all be proud of, and I would urge everyone to vote in favor of this bill.

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

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), chairman of the Committee on Transportation and Infrastructure.

□ 1700

Mr. SHUSTER. Mr. Chairman, I thank my good friend for yielding me this time.

I may not be able to be here on the floor when we debate the Visclosky amendment, although it has already been referred to by the gentleman from Indiana (Mr. VISCLOSKY). I must say that I rise in strong opposition to that amendment.

This amendment, if it passed, would delete a provision in the bill that simply requires a report to Congress before the Corps of Engineers finalizes extremely controversial changes to the nationwide permitting program. There are at least three compelling reasons to support the modest provisions in the bill and vigorously oppose this amendment:

First, the right to know, truth-in-permitting. Congress and the American public have a right to know the costs and workload impacts of sweeping changes to the nationwide permitting program. What is the administration trying to hide? Why are unelected regulators so afraid to assess and disclose information on workload impacts and costs?

Secondly is a question of fairness. While comprehensive reform on wetlands will have to wait for another day, there are some small steps we can take. One is to insist that the administration fully implement the administrative appeals process promised.

Thirdly, accountability. We must hold the administration accountable. President Clinton promised an appeals process in 1993. To date, no process has been established for robust administrative appeals or expedited judicial review.

We have got to hold the environmental extremists and the fearmongers accountable. This bill does not destroy wetlands, risk lives or cause flooding. Read the language. It simply is telling the Corps to share information with the appropriators and with the authorizers. It is not changing any standards under the Clean Water Act.

Stop this misinformation. When the time comes, vote ''no'' on the Visclosky amendment.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, there is a pilot project at the mouth of the Columbia River, established through the Oregon Graduate Institute and the Marine Environmental Research and Training Station in Astoria, Oregon which provides both realtime and historical model forecasts. The technology from this pilot project could have numerous applications, including channel deepening, habitat restoration and the reduction of flood hazards.

Is it the chairman's understanding and the ranking member's understanding that the Army Corps of Engineers can exchange information and provide professional advice to the Oregon Graduate Institute and the Marine Environmental Research and Training Station in the Institute's development and implementation of this system?

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

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

Mr. PACKARD. Mr. Chairman, I understand the gentleman's position, and the gentleman is correct.

Mr. VISCLOSKY. If the gentleman will yield, I would agree with the gentleman from Pennsylvania, the gentleman is correct.

Mr. WU. I thank the chairman and the ranking member and encourage the Corps to interact with the Institute as this remarkable project moves forward in Oregon.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a very valuable member of the subcommittee.

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

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

Mr. Chairman, I rise today in support of H.R. 2605, making appropriations for Energy and Water Development. Let me first thank the gentleman from California (Mr. PAKARD) and the gentleman from Indiana (Mr. VISCLOSKY) for their approach to this year's Energy and Water bill. It is a model of bipartisanship. Likewise, I would like to thank the staff of the committee for their tireless work on behalf of the Nation.

Mr. Chairman, this bill stresses important national priorities while keeping our commitment to downsizing the Federal Government and to keep our budget balanced. Again this year the President's budget request for the Army Corps of Engineers was woefully inadequate. Despite this committee's repeated calls for the President to fund these important infrastructure needs, he chose to ignore us. This bill maintains funding for critical flood safety, coastal protection and dredging projects throughout our Nation and flatly rejects the administration's efforts to back away from these very important and long-term investments. It restores the needed funds to protect American life and property and promotes our international competitiveness.

In addition to the funding for our Nation's infrastructure, this bill provides funding for the Department of Energy. While this bill funds many critical programs at the Department, I would like to speak favorably, but do it under extended remarks, about some of the nonproliferation programs that the gentleman from California and a number of us visited in Russia recently. I think these are long-term investments in protecting our world, and I would like to thank the gentleman from California for taking us to Russia to visit two closed cities, nuclear cities, where we could see firsthand how some of our tax dollars are spent in protecting the world from a growing nuclear problem where, in fact, nuclear materials can get into the wrong hands.

Mr. Chairman, I support the bill.

As you know, Mr. Chairman, after the Cold War, our country and the Soviet Union were left with vast stockpiles of nuclear weapons, plutonium and highly enriched uranium. As a result, the mission of safeguarding this material has fallen to the DOE. In particular, the U.S. needed to ensure that Russian nuclear weapons were being dismantled and that the excess fissile materials removed from them were not used again to produce new nuclear weapons.

The Warhead and Fissile Material Transparency Program, one of the many programs established at the DOE, sought to incorporate a comprehensive strategy to work cooperatively with Russia to develop transparency measures providing confidence that Russian nuclear arms were being dismantled. This program has opened doors in Russia which were once closed to the world.

Also, under the Nuclear Cities Initiative, the U.S. and Russia are now joining forces to bring jobs and commercial enterprises to Russia's nuclear cities. Similarly, the Energy Department is working in Russia to install modern safeguards against further loss of controls over nuclear weapons, elements and knowledge under Material Protection, Control and Accountability System paid for with Energy Department dollars.

Both of these programs are examples of how crucial this international work is and this bill continues to emphasize this importance. The reason I have taken the time to point out a few of these programs is to highlight, that

this appropriations bill is more than just meeting our nation's infrastructure needs and scientific research. This bill continues our commitments made through treaties and agreements with Russia and underscores the importance of our continued work together to protect the world from new nuclear threats.

Finally, let me say a word about fusion research. The Committee worked very hard to see that funds were provided to keep this important research on track. Specifically, I am very pleased that the bill includes $250 million for fusion research. Fusion energy has the potential to be unlimited and ultra-clean source of energy for the world. After numerous years of declining budgets for this program, it is refreshing to provide this important commitment.

Mr. Chairman, this bill represents real progress towards setting national priorities. I urge my colleagues to support this bill.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman from California and the gentleman from Indiana for their leadership in bringing this bill to the floor. They have made a serious effort to keep the bill clean and their dedication to that effort has been instrumental in putting together a bill that we can move through the process. I would like to also thank the gentleman from California (Mr. FARR) for his assistance with a matter in the report regarding the Trinity River Diversion.

It is my understanding that the report language relating to the Trinity River Diversion is meant to ensure that a decision on the Trinity River flows is made in accordance with existing law.

Is that the gentleman's understanding as well?

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

Mr. THOMPSON of California. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, the gentleman is correct. That is my understanding.

Mr. THOMPSON of California. Mr. Chairman, I look forward to working with the gentleman from California and the gentleman from Indiana to ensure final passage.

Mr. PACKARD. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I want to take a moment to thank the gentleman from California for bringing such a fine bill to the floor today. Many Members know the difficulty it is for a chairman to wrestle all the issues that they are confronted with because so many priorities exist around America that we all want to deal with.

We all know the funding constraints the Subcommittee on Energy and Water Development was under this year and I think the gentleman from California did an excellent job of funding Members' priorities.

I think the gentleman from California did a particularly fine job funding beach renourishment projects which are vital to the economies of coastal States like Florida. Every year, the administration refuses to recognize the Federal commitment to these projects by not requesting funds. Since I arrived here in 1994, I was quite shocked at the fact that they chose not to fund any beach renourishment projects in my district. I will suggest to Members if they look back at the history of Florida, particularly around the areas where the beaches have suffered the greatest damage, it is as a result of the inlets that were dug by the Corps of Engineers, years, some of them 50, 60 years ago, that have then changed the, if you will, flow of sand that occurs on the beaches, and particularly those to the south of the beach where the inlet was dug have suffered consequences that are extremely dire and environmental concerns on ocean, if you will, enhancements, in turtle nesting, a number of things. I again want to underscore the gentleman's particular fine attention to beach renourishment.

I know that makes the subcommittee's job more difficult, and I thank the gentleman from California for not going along with the administration's irresponsible policy. These are projects that demand and deserve the Federal Government as an active and willing partner, including, in my particular district, there are a number of communities that have, if you will, brought forward local tax dollars in support of these. In fact, some to the degree of well over 50, 75 percent of the local matching effort.

I also want to thank the gentleman from California for fully funding the Everglades and South Florida Ecosystem Restoration Account. This account funds the Everglades ''critical restoration projects'' authorized in the Water Resources Development Act of 1996 which also includes Ten Mile Creek, a project in my district, these entire projects for the sustainability of Everglades National Park, underscore ''national park,'' a priority we should all share in this Chamber as we care about our national parks in every region and every State and every jurisdiction.

Finally, Mr. Chairman, this year's House bill funds the critical projects list that I just specified that have been designed by the local sponsor, South Florida Water Management, the Corps of Engineers and other entities to the tune of $21 million, an amount greater than the previous 2 years combined, to keep these vital restoration efforts moving forward.

Again, I want to finally and strongly commend the gentleman from California, his first year as chairman of the Subcommittee on Energy and Water Development, for listening to Members' concerns, for looking out for the welfare and vitality of all of our regions, all of our States, for the entirety of our Nation. My hat is off to him for his excellent work and stewardship of this bill to the floor today.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, let me thank the chairman and the ranking member for their leadership on the bill and thank the gentleman from Indiana (Mr. VISCLOSKY) for yielding me this time. I also appreciate the support of both the gentleman from Tennessee (Mr. TANNER) and the gentleman from Tennessee (Mr. BRYANT) on this project that is important not only to the International Port of Memphis but also to the ports along the Lower Mississippi from Cairo, Illinois to Baton Rouge, Louisiana.

Mr. Chairman, in 1944 the Congress authorized a 12-foot navigation channel on the lower Mississippi River between Cairo, Illinois, and Baton Rouge. However, the U.S. Army Corps of Engineers only maintains a 9-foot channel. And although it is estimated that a 12-foot channel exists 85 percent of the time, the need for a formal reevaluation by the U.S. Army Corps of Engineers is necessary. I ask the committee to direct the Corps of Engineers to evaluate the current feasibility of maintaining a dependable 12-foot navigation channel on the Mississippi River below Cairo to Baton Rouge within available Mississippi River and Tributaries funds. The study should determine if the expansion is technically sound, environmentally acceptable and economically justified.

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

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

Mr. PACKARD. I thank the gentleman from Tennessee for his leadership on the inland navigational issue and will be more than pleased to work with him.

Mr. FORD. Mr. Chairman, the lower Mississippi River is vital to our Nation as the primary commerce link between our Nation's agricultural heartland and the foreign and domestic markets. It also serves as an economic backbone to the economically challenged areas of the lower Mississippi delta area. A 12-foot navigation channel can increase the cargo-carrying capacity of the existing system with the least investment cost to the Nation. I appreciate the committee's willingness to address this issue and hope that language will be included in the conference report that would direct the Corps of Engineers to evaluate this issue.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding me this time. I rise today in support of H.R. 2605, the Energy and Water Development appropriations bill for the fiscal year 2000.

Mr. Chairman, this bill plays a critical role in public works projects throughout my coastal district. I am especially grateful to the gentleman from California and the gentleman

from Indiana for their efforts in the area of shore protection. Since the Clinton-Gore administration decided several years ago to drastically cut shore protection from their annual budget, the Subcommittee on Energy and Water Development has struggled each year to come up with the additional millions of dollars to meet critical beach erosion needs all across our country. This fact, coupled with the budget cap realities, has coastal communities across the country finding themselves facing severe beach erosion with little Federal relief in sight.

Funding issues aside, I am also concerned over the slow rate of progress being made to renourish beaches in Broward County and Miami-Dade County, Florida, where arcane and archaic Army Corps policies have slowed down beach renourishment projects. I am hopeful that I can work with the subcommittee over the next few weeks to find innovative solutions to overcome these obstacles.

I also would be remiss if I did not express my appreciation to this committee as well as the Subcommittee on Interior and also to the chairman of the full committee the gentleman from Florida (Mr. YOUNG) for their sensitivity to our needs of the environment in the Everglades. The attention that this Congress has given to our environmental needs in Florida has really been most gratifying. I want to express appreciation for the entire Florida delegation on this matter.

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

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise today in strong support of this Energy and Water appropriations bill and to thank the gentleman from California and the gentleman from Indiana for all their hard work along with the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY).

On behalf of my constituents from the Seventh Congressional District, I want to convey my heartfelt gratitude for a very important project made possible by this legislation. This bill allows for an Army Corps of Engineers feasibility study to be conducted in Flushing Bay and Flushing Creek in Queens County in New York City.

□ 1715

This study will develop ideas for improving water quality in these bodies of water and help make them viable again for the citizens of New York.

Mr. Chairman, without Federal funding, Flushing Bay and Flushing Creek would not be cleaned up.

I thank the committee for recognizing the importance of this project to the people of Queens and to agreeing to help us maintain and, more importantly, to improve our bodies of water, and once again, Mr. Chairman, I would like to thank the gentleman from Indiana (Mr. VISCLOSKY) for all his support and help in this effort.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a valued member of the subcommittee and the full Committee on Appropriations.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding this time to me. I appreciate obviously all the work he has done on this bill, his staff included, and the gentleman from Indiana (Mr. VISCLOSKY) for his work in bringing about a great bipartisan proposal. I would like to thank the committee as well for addressing my concerns on back-door implementation of the Kyoto Treaty. This bill includes my language to prohibit the DOE, the Department of Energy, from issuing rules or regulations to implement this fatally flawed agreement until it is ratified by the Senate.

The Kyoto Treaty is unfair. The United States Senate has unanimously voted that it will not consent to a treaty that is so unfair.

Given the stakes involved, Congress must be vigilant in ensuring that this agreement is not rammed through the back door. Make no mistake about it. As the offerer of the amendment, I intend that no taxpayer dollars be spent to do any work whatsoever on carbon emissions trading, be it under the rubric of educational materials, or a seminar or otherwise.

Mr. Chairman, I am also pleased that that bill provides much needed funding for nuclear R&D. Nuclear energy, which represents 20 percent of the Nation's energy supply, provides a viable, cost-efficient and clean alternative to fossil fuels. However, for nuclear energy to become a more prominent energy source for the American people in the 21st century, the Federal Government must dedicate more money to nuclear R&D.

This bill provides 20 million for the NERI program, 12 million for the university support programs, and a first-time appropriation of 5 million for the NEPO program. This modest investment of taxpayer dollars will facilitate the development of technology that will make nuclear energy safer and more efficient. It also ensures that the United States will continue to produce the best nuclear scientists in the world, and it provides the resources to improve the efficiency, the safety and reliability of our existing nuclear power plants.

Mr. Chairman, I believe these programs provide enormous benefits to the American people, and I would like to see their funding increased even further. I understand however the realities of this at this time are not possible.

Once again, I do want to sincerely thank the gentleman from California (Mr. PACKARD) and the gentleman from Indiana (Mr. VISCLOSKY). I want to recognize the staff again because they did a super job, a tremendous job, in bringing this bill to closure.

So with that I urge a yea vote on this bill.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS), a valued member of the subcommittee.

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

Mr. Chairman, this is not going to be one of the highest profile bills that we will pass before this House this year, but I think it will be one of the most important, one of the most important if my colleagues believe that providing for flood control for communities and urban rural areas across our country is important. One of the most important if they think it is a role of our Federal Government to safeguard the nuclear stockpile, provide for energy research, and help solve the problem and the threat of nuclear proliferation. This bill deals with those crucial, crucial issues.

The reason this bill is not going to be one of the highest profile bills in the Congress is because we had a great chairman of the subcommittee, the gentleman from California (Mr. PACKARD), and a great ranking member, the gentleman from Indiana (Mr. VISCLOSKY), who worked together in a bipartisan, really nonpartisan, fashion on so many of the important decisions that had to be made. And as happens when we have leaders in this House that work together, the press, the national press, pays very little attention to that.

So notwithstanding the honest disagreements as there would be and should be on issues such as the environment and the wetlands issue in this bill, the chairman and the ranking member did an outstanding job of putting together this package on a nonpartisan basis.

Let me say personally while I wish we had more money to fund the critical programs in the Department of Energy, the budget simply did not allow that, and I hope the final conference report might include some plus ups in some of those programs.

And as a final note, Mr. Chairman, let me say that I understand that there are between, depending on how one counts them, 800 and a thousand Member requests for additional spending in this bill, and to those who would argue in support of nearly a trillion dollars tax cut over the next 10 years that we can cut domestic discretionary spending by 20 to 40 percent, I would suggest they need to look at the finer details of legislation such as this, important flood control, water research projects; that if they were to be cut by 20 to 40 percent, we would undermine some terribly, terribly important causes and programs for this country.

This is a good bill. Notwithstanding what happens on the amendment dealing with the wetlands, I intend to support it, and I want to again commend the chairman, the gentleman from California (Mr. PACKARD), and the

ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for their leadership on this legislation.

Mr. PACKARD. Mr. Chairman, I have a series of colloquies that I would like to take care of, if we can during the general debate time, and to begin that series I yield such time as he may consume to the gentleman from Utah (Mr. CANNON).

Mr. CANNON. Mr. Chairman, first of all let me express my appreciation for the hard work of the gentleman from California (Mr. PACKARD) and that of the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), in putting together this bill that is before us today.

I know they were approached with many requests that simply could not all be accommodated. I, along with a number of our colleagues, sought funding for a study to be conducted by Oakridge Laboratory of the Atlas Uranium Mill Tailings site in Moab, Utah. I know the gentleman from California is familiar with this issue as this site sits within 750 feet of the Colorado River which runs drinking water for 25 million people.

I understand that funding was not provided because this particular study is not currently authorized. It is my hope that in the coming year, we will secure adequate authorization. At that point would the chairman be willing to work with us to secure funding in the future for this vital study and other remediation efforts?

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

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

Mr. PACKARD. Mr. Chairman, as the gentleman knows, we did not fund any unauthorized projects, and thus this could not be funded. I will be more than happy to work with the gentleman in the future years.

Mr. CANNON. Mr. Chairman, I thank the chairman and the ranking member.

Mr. PACKARD. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Chairman, I would like to commend the gentleman from California (Mr. PACKARD) and the entire committee and their staff for the good bill they brought before us. They worked hard to cut wasteful spending out of the Department of Energy's budget.

I do appreciate this opportunity to engage the chairman, the gentleman from California, in a colloquy, and I would like to urge the gentleman to make the Department of Energy's tight budget even tighter. I believe more cuts can be made to questionable grants awarded under the nuclear energy research initiative or NERI program including cold fusion and others.

Now cold fusion can receive a grant, then the grant administrators are simply not taking seriously their responsibility to the taxpayers. We have to question the adequacy of DOE's peer review process. The whole NERI project needs to be looked at under a microscope. The Department of Energy is not doing this. They are reviewing only the cold fusion grant.

Now here is a perfect opportunity to stop the traditional government solution of throwing more money at a problem in the hope that it will go away. The American people are tired of paying more taxes simply because the government sometimes does not know what it is doing.

The general focus of the other cuts that I suggest are an unnecessary administrative cost.

I hope my colleague can also work to restore or increase funds for several critical programs such as the computational and technological research to ensure that the cleanup of the Defense sites remains on schedule and to guarantee the Department of Energy can adequately fund its payment in lieu of taxes. The DOE has been in arrears on its obligations in these counties since 1994, and with all the money taxpayers give DOE, they should be able to be current on the PILT.

We also need to ensure the safekeeping of our nuclear secrets by increasing counterintelligence funding.

Mr. Chairman, the gentleman has raised funding in this bill for counterintelligence, and I commend him for it, but we need to make sure the job is done right by increasing this funding by about $2 million more.

Mr. Chairman, it is my understanding that the gentleman from California and the committee will work to make some of these changes in conference to address these concerns and save the American taxpayers money.

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

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

Mr. PACKARD. The gentleman is correct. We will be more than pleased to work with him in conference, and we are trying to resolve this issue.

Mr. COOK. I thank the gentleman very much for engaging me in this colloquy.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. First of all, I want to congratulate the gentleman from California for his leadership and hard work on this bill, and his time and commitment is appreciated by me and the entire Congress. And for this reason, Mr. Chairman, I am here at the well to discuss the ability of the State of Nevada and all affected local governments in the State to carry out their oversight authority of Yucca Mountain, Nevada, as was granted to them under the Nuclear Waste Policy Act of 1982.

Currently the Department of Energy is conducting tests to determine if Yucca Mountain will be a suitable permanent repository site for nuclear waste. When the Nuclear Waste Policy Act of 1982 was created, Members of this body felt that it was imperative for the State of Nevada and all affected local governments to have sufficient resources to carry out their own oversight.

These necessary moneys are used to properly oversee tests the Department of Energy is carrying out to determine whether or not Yucca Mountain is suitable as a permanent nuclear waste site. This is a very critical part of the 1982 act because it allowed for Nevada and, particularly its residents, to have confidence in the scientific studies and especially the validity of those tests that the Department of Energy has been conducting.

These resources will allow for State and local governments to continue to perform their own independent validation and oversight tests to ensure the best science is used to determine site suitability. It has been my experience that local scientists have been nonbiased and have produced needed assurances that only the best scientific data is used to determine the hydrologic and geologic character of the Yucca Mountain area.

We have nearly 2 million people in Nevada, and their safety and quality of life in this debate should not be ignored, making it imperative that we provide the financial resources to ensure the State of Nevada and affected local governments are able to monitor and report on this activity.

Therefore, I would ask, Mr. Chairman, that the House conferees work with me to get $4.727 million for the State of Nevada and $5.432 million for the affected local governments. These appropriated amounts are consistent with the moneys appropriated in the Senate Fiscal Year 2000 Energy and Water Development Appropriations Act.

And as time moves closer to designate Yucca Mountain as a permanent nuclear repository, it becomes imperative that we address the scientific and safety concerns of the citizens of Nevada, and again I would thank the gentleman from California (Mr. PACKARD) for his work on this bill and appreciate his willingness to work with me on this very important issue.

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

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

Mr. PACKARD. Mr. Chairman, I would like to assure the gentleman that I do understand the Yucca Mountain issue, particularly as it relates to the Nevada people, and I will do my best to work with the gentleman in resolving the issues. It is a very, very important issue nationally as well as in the gentleman's state.

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for his understanding on this very important issue. These moneys are important to Nevada and to its future.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I wanted to take this opportunity

to again express my support for this bill. I also want to thank the gentleman from California (Mr. PACKARD) and the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for working with me and my colleague, the gentleman from Arizona (Mr. SALMON) on our amendment on renewable energy.

I am glad that the gentleman has agreed to accept our amendment, and I look forward to discussing it in more detail at the appropriate time.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP), a member of the committee.

Mr. WAMP. Mr. Chairman, I seek time to thank the distinguished chairman of this subcommittee and to thank the excellent staff with which he works every day and also to engage him in a colloquy.

□ 1730

This is an issue of great importance to our Nation.

As the gentleman knows, the Y–12 nuclear weapons plant is located in the district that I serve. These facilities were on the front lines of the Cold War and were an integral part in bringing that long conflict to a successful and victorious end. The workers in Oak Ridge selflessly served our country and did a magnificent job.

As their representative here in the House, I am acutely aware that our national security depends on adequately funding their mission and making sure our aging weapons plants are properly maintained and modernized. However, earlier this year the President submitted a budget that was insufficient to maintain the current activity level at the Y–12 plant. Recognizing this shortfall, the House Committee on National Security provided a $38.6 million increase in funds for the Y–12 weapons plant and environmental management activities there in Oak Ridge.

Because of the small allocation and the extreme pressures placed on the subcommittee, the chairman was not able to fully fund this request. While I understand that not much can be done at this time, I would like to make a strong appeal to the chairman of the subcommittee that when the conference committee convenes, that every effort is made to adequately fund the critical missions of nuclear weapons, stockpile and stewardship and modernization of their facilities.

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

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

Mr. PACKARD. Mr. Chairman, the gentleman is very much aware of the fact that we have very limited funding, and if additional funds become available between now and conference, we will do our best to make sure that the gentleman's concerns are addressed in conference.

Mr. WAMP. Mr. Chairman, I thank the gentleman.

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

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Chairman, as the chairman of the subcommittee is aware, I have an amendment at the desk that has been made in order. The purpose of this amendment is to take $150,000 from the ''General Investigation'' section under Title 1 for a project in my district and place that amount in the ''General Construction'' section of that same project. After discussing this in detail with the gentleman from California (Mr. PACKARD), while this is an authorized project and I view it as sound policy, I have decided not to offer that amendment at this time.

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

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

Mr. PACKARD. Mr. Chairman, I want to thank the gentleman for not offering this amendment. I will work with the gentleman as we proceed through the regular process and through the conference. I understand this project, and I agree that it merits reimbursement funding at the appropriate time during the conferencing.

Mr. POMBO. Mr. Chairman, the Corps did not include this in its current budget request. In order to ensure that this project is included in the Corps' next fiscal year budget proposal, I drafted this amendment and appreciate the gentleman taking an interest in seeing this important issue resolved.

Mr. PACKARD. Mr. Chairman, if the gentleman will further yield, I am aware of the importance this holds to Stockton, California, the city where the gentleman certainly has a great interest in his district, and I will work to see that they are promptly repaid by the Federal Government for authorizing Federal flood control work projects as it carries out on behalf of the Corps. I will do my best.

Mr. POMBO. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The gentleman from Indiana (Mr. VISCLOSKY) has 13½ minutes remaining; the gentleman from California (Mr. PACKARD) has 1½ minutes remaining.

Mr. PACKARD. Mr. Chairman, I would inquire if the gentleman from Indiana (Mr. VISCLOSKY) would be willing to yield 5 minutes for the purpose of engaging in colloquies with various Members.

Mr. VISCLOSKY. Mr. Chairman, my understanding is the gentleman may need up to 6 minutes, and I am happy to yield him that 6 minutes for purposes of control.

The CHAIRMAN. Without objection, the gentleman from California will control 6 additional minutes.

There was no objection.

Mr. PACKARD. Mr. Chairman, I thank the gentleman from Indiana.

Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. WATKINS) for the purpose of a colloquy.

Mr. WATKINS. Mr. Chairman, I would like to thank the gentleman from California and also the ranking member, the gentleman from Indiana, the committee members and staff for the great job they have done on this bill.

As my colleagues know, I had the privilege of serving for 10 years on this subcommittee, and I miss the opportunities of being there for a lot of the discussion and debate. But I do appreciate the committee including funding for the southeast Oklahoma water study which is in my district. The study would determine what benefits and needs there are for the potential use of that water in southeast Oklahoma. It is my understanding that the study will also include two hydroelectric projects under consideration at Pine Creek Dam on Little River and at the Broken Bow Re-Regulation Dam on Mountain Fork River, both in my district.

Is that correct, Mr. Chairman?

Mr. PACKARD. Mr. Chairman, if the gentleman will yield, that is correct.

I want to thank the gentleman for his expertise and input and experience on this, and I look forward to working with the gentleman on this very important project.

Mr. WATKINS. I thank the Chairman.

Mr. PACKARD. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HORN) for the purpose of a colloquy.

Mr. HORN. Mr. Chairman, I thank the gentleman from California (Mr. PACKARD), the chairman of the subcommittee, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, and all members of the committee, as well as the very fine staff. I have read through most of this very thorough report which goes on for roughly 201 pages; and in those pages we can see fairness. We can see responsibility and thinking about the national interests in all of these various projects that affect millions of our fellow citizens.

For millions of Americans, my colleagues on the subcommittee have shown the way in building what needs to be done to prevent floods, to utilize and purify our waters in many ways, and to enable us to have great harbors.

I thank the chairman of the subcommittee on behalf of the five congressional districts in Los Angeles County where 500,000 people are in the flood plain. It is a very expensive project, but hopefully it will be almost the last year of construction. The flood area is in the most devastated part of the county of Los Angeles. 400,000 aerospace workers became unemployed starting in March of 1988 and for the next decade.

On top of that then, FEMA imposed flood insurance on this project, and millions of dollars were extracted from thousands of low income workers.

The subcommittee and its members were wise to finish this project which affects so many people in a county of 10 million residents.

Again, I thank the gentleman (Mr. PACKARD) and all of the members of the subcommittee for their help. They have shown fairness and recognition of a population in need, and we thank him for it.

Mr. PACKARD. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Chairman, I want to thank the subcommittee for the work they have done on this bill, and I want to draw the gentleman's attention today to an issue that is important to the people of Montana.

Last year, Congress authorized the sale of certain Federally owned cabin sites on Canyon Ferry Reservoir. The proceeds from the sale, estimated to be $18 million to $20 million, will be used to improve fish and wildlife habitat and recreational access along the Missouri River. In addition, the sale of the cabin sites would enhance the local property tax base.

The Congress made the sale of the cabin sites contingent on the establishment of a $3 million Canyon Ferry Broad Water County Trust, funded in full or in part by in-kind projects carried out by the Bureau of Reclamation. Unfortunately, this bill does not contain any money for these projects.

Does the Chairman believe that it is critical for the Bureau of Reclamation, working in conjunction with the cabin site owners and the local units of government, to identify specific improvement projects around Cabin Ferry in order to ensure that the intent of the Cabin Ferry legislation is fulfilled?

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

Mr. HILL of Montana. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I want to thank the gentleman. The gentleman is correct. I appreciate his leadership on making me aware of this important issue, and I want to compliment him for his hard work and diligence in attempting to complete this sale.

I look forward to working with the gentleman from Montana on this important issue as it proceeds through the appropriations process.

Mr. HILL of Montana. Mr. Chairman, I thank the chairman for his comments and I look forward to working with the subcommittee and with him in the future to complete this important project.

Mr. PACKARD. Mr. Chairman, I yield 2½ minutes to the gentleman from Washington (Mr. NETHERCUTT), a member of the full committee.

Mr. NETHERCUTT. Mr. Chairman, I also want to thank the gentleman from California (Mr. PACKARD) for the good work that has been done on this bill, as well as express appreciation to the ranking member to try to put this bill together in a way that is fair for all parts of the country who have issues relating to energy and water, especially the work that has been done, Mr. Chairman, on addressing of the salmon restoration funding in the Pacific Northwest. There are tight fiscal constraints in this year's budget, and I appreciate the effort that has been undertaken to address those issues of salmon restoration.

The Pacific Northwest has numerous salmon species listed as endangered or threatened, and the committee has expressed concerns about the money spent on restoration efforts. In fact, last year the subcommittee provided $7 million for Columbia fish mitigation efforts by the Corps of Engineers and included report language that questioned the amount of money that has been spent on fish mitigation efforts.

Mr. Chairman, we are delighted that we are making progress in the region, and I appreciate the gentleman's willingness to provide $65 million in funding for Columbia River fish mitigation efforts. We must continue to look at all options for recovering salmon, including addressing predation by Caspian Terns, thoroughly evaluating ''PIT'' tag research, and to encourage the Corps of Engineers to make improvements to the current hydroelectric system to improve salmons' survival success rate. It is critically important to the Northwest.

I also appreciate the efforts the gentleman has made to address my concerns regarding section 317 of this bill, since it was marked in the full committee last week. I am still concerned about the interpretation of the language, but I appreciate, Mr. Chairman, the clarification of the intent that appears in this bill.

The Federal Power Marketing Administration, such as BPA, Bonneville Power Administration, provides power in the Pacific Northwest. They are interconnected to other transmission systems. In the case of BPA, the transmission lines are interconnected by areas such as California and Wyoming, and even Canada, and were mandated by law to maintain the safety and reliability of the transmission system.

There are times in these remote areas when power marketing administrations may be the only utility capable, because of manpower and having necessary equipment, of restoring downed transmission lines. PMAs may do this for a public or private utility, thereby expending ratepayer funds, but the operations are done based on reciprocal contracts. In the case of BPA, the ratepayers are reimbursed by the incumbent utility for their work.

So I appreciate the clarification, Mr. Chairman, that has been done with respect to PMAs providing these kinds of services. I am concerned that the language would be interpreted to prohibit PMAs, including BPA, from providing these reciprocal agreements and could hinder the reliability of the system, especially for remote and rural customers.

I appreciate the gentleman's help in this regard.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Chairman, I rise today to address the importance of the Department of Energy's Worker and Community Transition Program. I am greatly concerned and disappointed with the report language regarding this program.

This year's energy and water report states that, ''Funding at DOE cleanup sites in the nuclear weapons complex has stabilized. The need for enhanced severance payments to contract employees and grants to local communities has declined. Worker and community transition is not an enduring mission of the government. The committee does not intend to continue to fund this program, and the Department should prepare for significantly decreased or no funding in fiscal year 2001.''

Mr. Chairman, I represent one of two uranium enrichment facilities which is located in Piketon, Ohio. The other plant is located in Paducah, Kentucky; and I know the gentleman from Kentucky (Mr. WHITFIELD), my friend and colleague, has been very supportive of this program.

Our plants were privatized last summer and since privatization, both sites have experienced significant layoffs. Our communities are bracing for more layoffs this summer with future workforce reductions imminent. Now is not the time to eliminate funding for the Worker and Community Transition Program, because we would effectively leave numerous Cold War veterans without the assistance others have received over the years.

I urge the committee to revisit this issue.

Mr. VISCLOSKY. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I want to thank the chairman of the subcommittee, the gentleman from California (Mr. PACKARD), and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member. I recognize this is their first year working together, and I think they have done a very good job on this very important bill. I want to thank them for all the money they gave to specific projects in the Pacific Northwest.

Mr. Chairman, as the gentleman from Washington (Mr. NETHERCUTT) did, I want to register my concern, however, about two provisions included in this year's Energy and Water Appropriations Act relating to the power marketing administrations. I understand that the chairman has demonstrated willingness to clarify the language, but I still have deep concerns about the implications, unless the bill language is amended.

Section 316 of the bill would limit the ability of the power marketing administrations to install fiberoptic cable. It

is my understanding that the Bonneville Power Marketing Administration is willing to develop a report to the subcommittee which would present their fiberoptic capacity needs, projections, construction, and financing plans.

This provision in the bill limits the ability of the Power Marketing Administrations from certain ''construction, expansion or upgrades'' to dark fiberoptic telecommunication lines which are repaid by users. I believe this provision is premature and unnecessary. We should allow the PMAs to complete ongoing projects and allow them to provide the Congress with their view of the public benefits before we enact a legislative provision in this appropriations bill.

Additionally, section 317 prohibits the PMAs from providing emergency transmission system maintenance and repair and reimbursable contract services to their customers, which are provided by service utilities across the country.

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This provision not only jeopardizes the safety and reliability of the vast transmission system owned by Bonneville, but also violates the Federal Energy Regulatory Commission's order 888, which states that the PMAs in certain circumstances must provide transmission access and construction of additional facilities to neighboring utilities.

This section would prevent the Bonneville Power Administration from directly funding the power operations and maintenance of the 29 Federal Columbia River Power System dams which they are required to do under Federal law. The Northwest power system cannot operate without these funds.

Each of these sections in the bill is unworkable in its current form. It is my great hope that both provisions can be removed, and the PMAs and the subcommittee can work together to address any concerns they may have.

I appreciate, again, all the help from the chairman, he bent over backwards to help us, and the gentleman from Indiana (Mr. VISCLOSKY) has been very willing to help us, as well. We look forward to working with the gentleman in the conference on this issue.

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

Mr. VISCLOSKY. Mr. Chairman, I yield 30 seconds to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, I would like to engage in a colloquy with the distinguished chairman of the subcommittee, the gentleman from California (Mr. PACKARD).

Mr. Chairman, I would like to thank the gentleman for his past support for the Jennings, Louisiana, biomass ethanol plant. It is my understanding, Mr. Chairman, that it will be possible to explore ways to complete the Federal funding of this plant in fiscal year 2000.

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

Mr. JOHN. I yield to the gentleman from Louisiana.

Mr. PACKARD. The gentleman is correct, Mr. Chairman. I will do my best to work with the gentleman.

Mr. JOHN. I thank the gentleman.

Mr. WU. Mr. Chairman, I rise today in support of H.R. 2605, the Energy and Water Appropriations Bill. I would also like to thank Chairman PACKARD and Ranking Member VISCLOSKY for their hard work on bringing a fair and balanced bill to the floor.

I have the privilege and honor of representing the greater Portland area and the Northwest Coast of Oregon. For those of you who have had the pleasure of visiting this wonderful city, you will know that much of the vitality of our region depends on the Willamette and Columbia rivers. Commerce, recreation, and scenic beauty are three products of these Rivers. The Columbia River, stretching from the eastern part of Washington and ending at the mouth in Astoria is one of America's greatest resources.

One in six jobs in the state of Oregon depend on the commerce from the Columbia River. The success of the river is vital to our economy and way of life. Unfortunately, as trade and technology increases, so does the need for passable channels for ships to continue to move in and out of the area ports. This bill includes important operation and maintenance funds to ensure that sorely needed dredging activities can take place and keep commerce moving. Commerce in Oregon will continue to prosper, and the benefits of a solid economy will follow.

I hope to continue to work with the Corps of Engineers to insure that the disposal of dredged materials not affect the crab fishers on the Oregon coast and work to have the least amount of environmental impact as possible. Furthermore, with the deepening of the Columbia River channel, there is concern about the local efforts to develop the Port of Astoria as a deep draft port. As with all ports, development of extensive infrastructure must be market driven, and I am looking forward to doing all I can to look at viable options.

I would also like to take this opportunity to thank the Committee for their support of the Clatskanie River and Fox Creek Projects. With the federal funding allocated, Clatskanie city officials will be able to commence with planning of the Lewis and Clark Bicentennial with a free flowing river; and fish will swim freely in Fox Creek. Finally, I would like to thank the committee for their support of the East Mooring Bay repair in the city of Astoria. These desperately needed funds, along with other funding, will allow Astoria to repair almost half of the breakwater.

Again, Mr. Chairman, Chairman PACKARD, Ranking Member VISCLOSKY, thank you for giving me the opportunity today to support the Energy and Water appropriations bill and more importantly to support the funding for the Columbia River Deepening Project.

Mr. JACKSON of Illinois. Mr. Chairman, I rise in support of the Energy and Water Appropriations bill, but I have one concern that I hope can be resolved during Conference.

My concern is bill language in ''Title I, General Expenses'' that will force the closure of the Chicago office of the Great Lakes/Ohio River division of the Army Corps of Engineers. Because of the importance of the Great Lakes to the United States, both for shipping and providing drinking water to millions of people, an agreement was reached in 1996 to maintain dual headquarters of the Great Lakes/Ohio River Army Corps division in both Chicago and Cincinnati. This dual headquarters system should be maintained, and I hope that the House conferees will recede to the Senate's silence on this matter.

Otherwise, I am supportive of the bill because it provides funding for critical flood control projects in my district and throughout the Chicago area.

These projects include:

$4.5 million to continue work on the ''Deep Tunnel'' project, including the Calumet leg of the tunnel in Chicago's South Side and south suburbs, and the McCook and Thornton reservoirs.

$200,000 for detailed planning of a detention pond and storm sewer improvements along Natalie Creek near the Chicago Sanitary and Ship Canal in Oak Forest and Midlothian.

$150,000 for small ecosystem restoration at a reservoir along Hickory Creek in Tinley Park.

$100,000 each for preliminary studies of recurrent flooding problems along: Tributaries A and B of Thorn Creek in Chicago Heights; Flossmoor Tributary of Butterfield Creek in Flossmoor; and Village streets in Calumet Park.

I commend Chairman PACKARD and Ranking Member VISCLOSKY for putting together a bipartisan, even-handed bill under difficult budget circumstances. They have done an amazing job with this bill, while taking into consideration the countless deserving project requests they received from Members from all regions of the country.

I look forward to working with my colleagues on the Appropriations Committee to resolve the issue of closure of the Chicago office of the Great Lakes/Ohio River division, and I encourage my colleagues to support the bill.

Mr. CRANE. Mr. Chairman, I just wanted to take this opportunity to congratulate and thank the chairman of the Energy and Water Appropriations Subcommittee, the chairman of the full Appropriations Committee and all of my colleagues who serve on those two bodies for the excellent work they have done in crafting the Energy and Water Appropriations measure for Fiscal Year (FY) 2000. Not only is the bill, as reported, fiscally responsible, but for the most part its priorities make sense—as does its treatment of wetlands and the environment.

Permit me to elaborate. As it came to the House Floor, the FY2000 Energy and Water Appropriations (H.R. 2605) bill called for $880 million less in spending than the total amount appropriated for energy and water programs in FY1999. Even if one subtracts out the emergency appropriations for those functions in FY1999, the bill is still $215 million below last year's spending level. More impressive yet, the sum of the spending provided for in the committee-reported version of this bill is, according to the committee report, more than $300 million below the amount appropriated in FY1995. What better way to make good on our commitment to a balanced federal budget that locks away Social Security surpluses and reduces our national debt, than to adopt a measure such as this.

Certain critics of H.R. 2605 demur, citing several provisions of the bill that deal with the wetlands permitting process. Their fear is that

these provisions will hasten the demise of America's wetlands and, for that reason, they have labeled them ''anti-environmental'' riders. I beg to differ. Not only do the provisions in question treat all parties interested in wetlands determinations more fairly, but the critics are overlooking another item in the bill that will promote the creation and restoration of wetlands and help us better understand the role they can play in controlling flooding.

That item is the appropriation of the last $1.75 million needed to complete the Des Plaines River Wetlands Demonstration Project (DPRWDP) in northern Illinois. I make particular mention of the project, not just because it is located in the district I am privileged to represent in Congress, but because it has already provided us with invaluable information about the way wetlands work and how they can contribute to such things as habitat preservation and flood control. When the DPRWDP is finished, not only will additional research information be available, but so too will be a ''how-to'' guide that will help other areas of the country restore wetlands for environmental and flood control purposes. That, in turn, will aid in the accomplishment of the very objective that critics of the wetlands permitting provisions of H.R. 2605 have in mind: the preservation and restoration of wetlands areas around the country.

Having been a supporter of the DPRWDP for over a decade now, I am proud of its accomplishments, excited about its potential and pleased by its inclusion in this bill. Like many other items funded by H.R. 2605, the DPRWDP promises to save American taxpayers many more dollars than it will cost. Not only that, but it should ease the minds of those who are concerned about the future of America's wetlands. The DPRWDP is, in short, a win-win proposition. Within the context of an overall bill that is one of the most fiscally responsible appropriations measures in recent memory, it promotes environmental responsibility as well. That being the case, I urge my colleagues to look at the DPRWDP as one more reason to support the FY2000 Energy and Water Appropriations bill. with the DPWFDP included, H.R. 2065 is a measure to which most everyone should be able to give their enthusiastic backing.

Mrs. ROYBAL-ALLARD. Mr. Chairman, I rise in support of the Energy and Water Appropriations Bill for Fiscal Year 2000, and I compliment the job of my two colleagues on the Appropriations Committee, Subcommittee Chairman RON PACKARD and Ranking Member PETER VISCLOSKY, on their first year in their respective roles.

The Energy and Water Appropriations bill is always of great importance to California because of its impact on our harbors and waterways, and the need to protect our residents from natural disasters such as flooding.

I will focus on a number of projects that are of specific importance to my constituents in the 33rd Congressional District as well as the entire Los Angeles area.

One of the most important projcts for my constituents is the Los Angeles County Drainage Area flood control project along the Los Angeles and Rio Hondo Rivers, known as the ''LACDA'' project. This project was recommended by a task force of government agencies, environmental groups, and neighborhood groups. My constituents and other residents along the Los Angeles River are impacted directly because each year of project delay costs local residents as much as $130 million in flood insurance premiums as well as the adverse economic impact associated with building restrictions within the flood plain. Fortunately, FEMA has given us an indefinite postponement of flood insurance increases, but I am pleased that the final increment of this funding has been provided so we can bring the much-needed protection to my constitutes. The LACDA project will restore an adequate level of flood protection to 500,000 people and 177,000 structures, and it will affect 11 cites over 82 square miles in Los Angeles County. Without the LACDA project, an estimated $2.3 billion in damages would result from a large storm event.

I am also pleased that the bill provides the funding to complete the next phase of the Pier 400 construction project in Los Angeles Harbor. This project will create an additional 315 acres of new land at Pier 400 upon which new state-of-the-art marine terminals will be built. In addition, a deep draft navigation project will be completed in order to accommodate the next generation of larger container ships. The Corps of Engineers has already made this project a top priority by reprogramming funds in order to maintain an optimal construction schedule.

Although I was disappointed that funds for the pre-construction, engineering and design phase of the main channel deepening project have not been included, I look forward to working with the committee once this project has been formally authorized to continue these needed improvements to Los Angeles Harbor.

This bill also provides funds for clean-up of the San Gabriel Basin. The San Gabriel groundwater basin is the primary source of drinking water for about one million residents in the San Gabriel Valley. Unfortunately, the groundwater is contaminated with both organic and inorganic compounds, so I am pleased that funds have been included in the bill to get the clean-up project underway. My constituents may draw their water from the Central Basin, but this project is still important to them. If we do not undertake the cleanup of these contaminated sediments in a timely fashion, we run the real risk of contamination of the Central Basin, serving 1.4 million Los Angeles County residents, including my constituents in Vernon, Cudahy, Maywood, Bell, Bell Gardens and South Gate.

Finally, as a member of the House Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China, I understand the Committee's concern with the Department of Energy's national security programs centered around its weapons' laboratories. Given the recent revelations regarding Chinese espionage at our national labs, these concerns are valid and timely. However, I have serious reservations about the way the Committee has chosen to address this issue.

It may be the practice for the Appropriations Committee to delay obligating funds to an agency in order to correct a problem, achieve a specific end, or perhaps just to send a message. In this case, however, the withholding of $1 billion in funding from DOE's nuclear weapons program until June 30, 2000, is overly harsh and, in my view, unnecessary. That level of funding amounts to one-fourth of the Department's total funding for weapons activities. Restricting these funds for the majority of the fiscal year would seriously hamper DOE's ability to carry out its weapons-related research and functions.

Further, both the House and the Senate are already addressing this issue. Just last week, the Senate passed an amendment to the Intelligence Authorization bill which establishes a separately organized Agency for Nuclear Stewardship to be headed by a new Under-Secretary who will report directly to the Secretary of Energy. Within this new agency, a separate office focusing on counter-intelligence would be established with a direct line to the new Under-Secretary as well as the Energy Secretary. The House-passed version of the bill includes several recommendations to increase security at the labs that were agreed to by our bi-partisan Select Committee. Further, the House Science Committee, the Commerce Committee, and the House Select Intelligence Committee are all looking into this matter, and a free-standing bill is expected to be ready sometime this summer.

With the House and Senate already taking meaningful steps to address the security problems at DOE, this funding restriction is unnecessary and will only serve to further hamper the Department's efforts to address these security concerns while carrying out day-to-day functions. I would, therefore, urge the Committee to drop this harmful provision.

Again, I compliment Chairman PACKARD and Ranking Democrat PETER VISCLOSKY for putting together a well-balanced bill that makes progress on many projects of importance to my constituents, my state and the nation.

Mr. CALVERT. Mr. Chairman, I rise today in strong support of H.R. 2605, the Energy and Water Appropriations bill. First, I would like to thank Chairman PACKARD for his hard work and dedication in crafting a balanced bill. I would also like to commend Chairman YOUNG for his responsible leadership in ensuring that these necessary spending bills are delivered on time and at the levels required under the budget resolution.

As a member of the southern California delegation, I understand the importance of preserving our water resources and protecting citizens from flood damage. This bill appropriates vital funds for watershed management, flood control, environmental enhancement, water conservation and water supply, and building dams which will save many lives downstream.

This bill will help protect vulnerable communities. I urge all of my colleagues to support this bill.

I also urge my colleagues to vote against the Visclosky amendment. Under current law, if the Corps of Engineers determines that no wetlands exist on a piece of property, a third party can file suit in court. But, if the Corps determines that wetlands do exist, then the landowner is forced to go through the entire permitting process before he or she can go to court.

Mr. Speaker, current law puts the hard-working citizens at a disadvantage to extreme environmental groups. This bill will allow landowners the same right to appeal a decision in court, the same right that any interested third party currently enjoys. It's only fair and I urge my colleagues to oppose the Visclosky amendment.

Mr. SHIMKUS. Mr. Chairman, I understand that the bill provides $97.5 million under biomass/biofuels energy systems, which includes $41 million for the transportation program.

It is my understanding that, although the House version does not identify which projects receive funds, the conference report has reflected a compromise between the two chambers that provides funding to certain projects.

The concern I would like to raise to the Chairman deals with a project that the Chairman and I have discussed, the National Ethanol Research Pilot Plant.

As the Chairman knows, this project has a $6 million cost-share contribution from the State of Illinois, and will provide for cutting-edge research that will lead to increased efficiencies coupled with cheaper production of ethanol.

Preliminary estimates are that the plant could reduce the cost of ethanol by over 10 cents/gallon in the near term.

If, as in the past, the Conference Report on this bill identifies projects for funding under the biofuels program, I would like to strongly urge that this plant be funded.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from California (Mr. PACKARD), the Chairman of the Energy and Water Development Appropriations subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the subcommittee for their exceptional work in bringing this bill to the floor.

This Member recognizes that extremely tight budgetary constraints made the job of the subcommittee much more difficult this year. Therefore, the subcommittee is to be commended for its diligence in creating such a fiscally responsible bill. In light of these budgetary pressures, this Member would like to express his appreciation to the Subcommittee and formally recognize that the Energy and Water Development appropriations bill for fiscal year 2000 includes funding for several water projects that are of great importance to Nebraska.

This Member greatly appreciates the $10 million funding level provided for the four-state Missouri River Mitigation Project. This represents a much-needed increase over the Administration's insufficient request for this important project. The funding is needed to restore fish and wildlife habitat lost due to the Federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in pre-development days.

In 1986, the Congress authorized over $50 million to fund the Missouri River Mitigation Project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

In addition, this bill provides additional funding for flood-related projects of tremendous importance to residents of Nebraska's 1st Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, Nebraska. Therefore, this Member is extremely pleased the Committee agreed to continue funding for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries. In addition, a related study was authorized by Section 503(d)(11) of the Water Resources Development Act of 1996.

This Member is also pleased that this bill includes $250,000 to complete the interim feasibility study and begin plans and specifications for the Lake Wanahoo project in Saunders County, Nebraska. This is a breakout study of the Lower Platte River and Tributaries Flood Control Study. The interim feasibility study will assess the environmental and flood control benefits of Lake Wanahoo. It will also evaluate other possible measures to provide flood control for the affected downstream areas. The Corps of Engineers has conducted a preliminary feasibility study and has determined that further study of the Sand Creek watershed, the site of the proposed project, is required. This will fulfill the intent of the study authority and to assess the extent of the Federal interest.

Mr. Chairman, additionally, the bill provides continued funding for an ongoing floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. The purpose of the study is to find a solution to multi-faceted problems involving the flood control and drainage problems in Antelope Creek as well as existing transportation and safety problems all within the context of broad land use issues. This Member continues to have a strong interest in this project since he was responsible for stimulating the City of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln to work jointly and cooperatively with the Army Corps of Engineers to identify an effective flood control system for Antelope Creek in the downtown area of Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A ten-foot by twenty-foot (height and width) closed underground conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the study are to anticipate and provide for the control of flooding of Antelope Creek, map the floodway, evaluate the condition of the underground conduit, make recommendations for any necessary repair, suggest the appropriate limitations of neighborhood and the University of Nebraska-Lincoln city campus development within current defined boundaries, eliminate fragmentation of the city campus, minimize vehicle/pedestrian/bicycle conflicts while providing adequate capacity, and improve bikeway and pedestrian systems.

This Member is also pleased that the bill provides funding for the Missouri National Recreational River Project. This project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

Although this bill does not include funding for the proposed Missouri River Research and Education Center at Ponca State Park in Nebraska, this Member is pleased that $1 million is included in the version approved earlier by the other body. This Member hopes that the conference committee will include funds for this important project in the conference report.

Finally, Mr. Chairman, this Member recognizes that H.R. 2605 also provides funding for Army Corps projects in Nebraska at the following sites: Harlan County Lake; Papillion Creek and Tributaries; Gavins Point Dam, Lewis and Clark Lake; Salt Creek and Tributaries; and Wood River.

Again Mr. Chairman, this Member commends the distinguished gentleman from California (Mr. PACKARD), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Subcommittee for their support of projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River Basin.

Mr. PORTMAN. Mr. Chairman, I am pleased to rise in support of the Energy and Water Appropriations legislation. I am particularly pleased to support two provisions of this legislation that will directly benefit many of the people I represent in Southwest Ohio.

The former Fernald Feed Materials Production Center, now known as the Fernald Environmental Management Project, was a Department of Energy facility that was part of the United States' nuclear weapons production complex from 1951 to 1988. The Fernald site became heavily contaminated and has been the focus of extensive nuclear and hazardous waste cleanup efforts.

The Energy and Water Appropriations bill for Fiscal Year 2000 contains $280,589,000 for the Fernald cleanup. The FY 2000 funding level represents an increase of more than $6 million from the FY 1999 appropriation. The funding is intended to keep the Fernald's accelerated cleanup project on track for completion in 2006, rather than the originally planned 2020.

This appropriation is directly in the public interest. Keeping the accelerated cleanup program at Fernald on track will lower health risks for residents of the surrounding area and lower the overall project costs for the taxpayers.

This legislation also contains $915,000 for the Army Corps of Engineers to study ways to improve flood control in the Mill Creek valley while restoring the waterway's ecosystem. This funding will help with our ongoing effort to revitalize and restore the Mill Creek watershed.

I commend the members of the subcomittee—specially Chairman PACKARD and Ranking Member VISCLOSKY—for their good work on the bill and for including this essential funding.

Mr. BENTSEN. Mr. Chairman, I rise in support of H.R. 2065, the FY 2000 Energy and Water Appropriations bill. I would first like to thank Chairman PACKARD and Ranking Member VISCLOSKY for their hard work on this important legislation. I would also like to thank my good friend from Texas, Mr. EDWARDS, for all the help he and his office have provided me.

I strongly support the decision of the Subcommittee on Energy and Water to ensure the U.S. Army Corps of Engineers receives adequate funding to continue their vital work in the areas of flood control and navigational improvement. I would also like to compliment the Administration for their decision to fully fund the Corps budget. This funding level recognizes the critical economic and public safety initiatives contained within the legislation. Because many flood and navigation projects located in my district are on accelerated construction schedules, full funding by both the Administration and the subcommittee will ensure the expedited completion at great savings to the taxpayers.

I am very pleased by the support this legislation provides for addressing the chronic flooding problems of Harris County, Texas. H.R. 2065 includes vital funding for several flood control projects in the Houston area. These projects include Brays, Sims, and Hunting and White Oak bayous, and will provide much-needed protection for our communities.

I am most grateful for the subcommittee's decision to fully fund the Brays Bayou project at $9.8 million for FY '00 while remaining within their budgetary spending caps as specified by the 1997 Balanced Budget Agreement. This project is necessary to improve flood protection for an extensively developed urban area along Brays Bayou in southwest Harris County. The project consists of three miles of channel improvements, three flood detention basins, and seven miles of stream diversion and will provide a 25-year level of flood protection. The project was originally authorized in the Water Resources Development Act of 1990, as part of a $400 million federal/local flood control project. Through Fiscal Year 1999, over $10 million has already been appropriated. The Harris County Flood Control District has expended over $21 million for preconstruction preparation in terms of land acquisition, easements, and relocations, plus an additional $2.5 million in engineering and construction. As part of the Water Resources Development Act of 1996, the project was authorized as a demonstration project for a new federal reimbursement program. This program is an effort to strengthen and enhance the Corps/local sponsor role by giving the local sponsor a lead role and providing for reimbursement by the Federal Government to the local sponsor for the traditional federal portion of work accomplished.

I am also most grateful for the committee's decision to fully fund the Sims Bayou project at $18.3 million for FY '00. This project is necessary to improve flood protection for an extensively developed urban area along Sims Bayou in southern Harris County. This project, authorized as part of the 1988 WRDA bill, consists of 19.3 miles of channel enlargement, rectification, and erosion control beginning at the mouth of the bayou at the Houston Ship Channel and will provide a 25-year level of flood protection. This continuing project has received over $120 million to date in state and federal funding and is scheduled to be completed two years ahead of schedule in 2004.

Mr. Chairman, I am also pleased that this legislation provides $60 million to fully fund continuing construction on the Houston Ship Channel expansion project. This project offers tremendous economic and environmental benefits and once completed, will enhance one of our region's most important trade and economic centers. The Houston Ship Channel desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than $5 billion annually and providing 200,000 jobs.

However, the Port's capacity to increase tonnage and create jobs is limited by the size of the channel. Hence the need for the Houston Ship Channel expansion project, which calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world.

Mr. Chairman, while I am pleased the critical functions of the U.S. Army Corps of Engineers have been maintained, I am very concerned about the inappropriate legislative rider attached to this bill. This legislation contains a provision indefinitely postponing the phase out of the Corps Nationwide Permit 26 (NWP 26), which is accelerating the destruction of our country's sensitive wetlands. Acknowledging the weaknesses of this permit, the Corps has had several public comment periods with all the stakeholders to develop a workable alternative to revise the NWP 26 process. This ill-conceived legislative rider will negate all the effort that went into forging a workable wetlands permitting system and will continue the ruinous development of wetlands. Consequently, I urge my colleagues to support the Visclosky Amendment allowing the Corps to preserve our shrinking wetlands.

Again, I thank the Chairman and Ranking member for their support and I urge my colleagues to support this legislation.

Mr. MATSUI. Mr. Chairman, I would like to take this opportunity to thank Chairman PACKARD and the Ranking Member, Mr. VISCLOSKY, for their support of Sacramento flood control projects included in the FY 2000 Energy and Water Appropriations bill. Flooding remains the single greatest threat to the public safety of the Sacramento community, posing a constant risk to the lives of my constituents and to the regional economy. Thanks to your efforts and the efforts of this Committee, Sacramento can continue to work toward improvement flood protection.

With a mere 85-year level of protection, Sacramento remains the metropolitan area in this nation most at risk to flooding. More than 400,000 people and $37 billion in property reside within the Sacramento flood plain, posing catastrophic consequences in the event of a flood. While the Congress continues to debate the best long-term solutions to this threat, funding in this bill will provide much needed protection to the existing flood control facilities throughout the region.

Specifically, this legislation will allow for the continuation of levee improvements and bank stabilization projects along the lower American and Sacramento Rivers, increasing levee reliability and stemming bank erosion. Additionally, I greatly appreciate the Committee's willingness to provide funding for projects—including the South Sacramento Streams Group, Strong Ranch and Chicken Ranch Sloughs, and Magpie Creek—aimed at preventing flooding from a series of smaller rivers and streams that present substantial threats separate from those posed by the major rivers in the region. Importantly, the Committee's willingness to include funding for the American River Comprehensive Plan will allow for ongoing Corps of Engineers general investigation work on all area flood control needs, including a permanent solution.

Your support of these vital projects represents a recognition by this Congress of the grave danger confronting Sacramento and a willingness by the federal government to maintain a strong commitment to the community. Again, on behalf of my constituents, I am grateful for your support in helping to address this perilous situation.

Mr. LIPINSKI. Mr. Chairman, I rise today in support of H.R. 2605, the FY 2000 Energy and Water Development Appropriations bill.

Thanks to the leadership of Chairman PACKARD and the Ranking Member, Mr. VISCLOSKY, of the Energy and Water Development Appropriations Subcommittee, we have before us today a finely crafted piece of legislation that will fund the Army Corps of Engineer's civil works division and invest in our nation's water infrastructure. In my opinion, they have been successful in putting together a bill—under very demanding circumstances—that balances the infrastructure needs of this nation, the traditional mission of the Army Corps, and severe budgetary constraints. The end product is a vigorous funding bill that targets wise investments in water infrastructure projects.

Included in the bill are three important projects for my constituents in the Third Congressional District of Illinois. The bill includes $640,000 for the Stoney Creek flood control project in Oak Lawn, $200,000 for the Natalie Creek flood control project in Midlothian and Oak Forest, and $150,000 for the Hickory Creek project in Tinley Park. These funds will be used to continue these ongoing Army Corps projects. These cost-effective projects will help protect property from future flooding damages, safeguard the environment, and improve our communities' standard of living.

I would like to take this opportunity to express some concerns over the progress of those Corps projects, specifically the Section 205 Stoney Creek project in the Village of Oak Lawn. Over the years, there have been some delays. I understand that these are complex and technical projects and things do not always go according to plan, but every year this project is delayed means that another year the Village of Oak Lawn is exposed to extreme flooding risks. I strongly urge the Army Corps Chief of Engineers to expedite completion of this project. Moreover, I would hope that the Natalie Creek and Hickory Creek projects are completed in a reasonable amount of time.

Also included in the bill is $13.129 million for the Chicago Shoreline project, which represents a $5.5 million increase over the Administration's request. My colleagues and I on the House Transportation and Infrastructure Committee worked to authorize this project in the Water Resources Development Act of 1996. With nearly eight miles of Chicago's lakefront and over $5 billion worth of irreplaceable infrastructure and public property at risk, the importance to fully fund and expedite this particular project cannot be understated. The funding for FY 2000 will be utilized to reconstruct the seriously deteriorated revetments from Irving to Belmont, I–55 to 30th Street,

33rd to 37th Street, and 37th to 43rd Street. I commend the Army Corps of Engineers for the hard work put into drafting and finalizing the partnership agreement with the City of Chicago to expedite this project. The new 2005 completion date shortens the schedule by five years.

Again, I thank Chairman PACKARD and the Ranking Member, Mr. VISCLOSKY, for their assistance and leadership in providing the necessary funding for the above projects.

I urge all of my colleagues to pass H.R. 2605.

Mr. ROEMER. Mr. Chairman, on behalf of the Gentleman from California, Mr. HERGER, and myself, we wish to thank you for the generous allocation for biomass energy transportation systems in the FY 2000 Energy and Water Appropriations bill. We understand that, due to budget constraints, the allocation was over $10,000,000 below the budget request. However, it appears that biofuels was a priority to the committee in the renewable energy category. We applaud the committee's foresight, as this is a critical time for commercializing this technology, both to aid in increasing the efficiency of the existing corn ethanol plants, and to help build several biofuels pilot projects throughout the U.S. There are, for example, two plants in California, one almost complete and one slated for construction. One such plant will use rise straw as its feedstock, another will use wood waste. Again, we thank the Chairman and his committee for its support of the biofuels budget and ongoing pilot plan projects.

Mr. SENSENBRENNER. Mr. Chairman, I rise today in support of H.R. 2605, the Energy and Water Development Appropriations Act of 1999. This bill contains funding for the majority of the Department of Energy's (DOE's) civilian science and energy R&D programs as well as legislative guidance on some key project management issues at the Department of Energy.

Today, the Department of Energy epitomizes all that is wrong with how a government department should be run. DOE lacks basic planning and project management skills and cannot provide simple planning information to Congress on costs and deadlines. This appropriation bill represents the hard work of Mr. PACKARD and the Members of the Subcommittee to correct a department that has gone awry and appears incapable of righting itself.

The Science Committee has responsibility for setting authorization levels for funding civilian scientific research and development programs at the Department of Energy as well as providing programmatic direction. The Committee has passed two authorization bills which address Department of Energy funding needs.

They are: H.R. 1655, the Department of Energy Research, Development, and Demonstration Authorization Act of 1999; and H.R. 1656, the Department of Energy Commercial Application of Energy Technology Authorization Act of 1999. While H.R. 2605 does not fully fund some science and energy R&D accounts to their authorized levels, it is a good attempt to follow the authorization bills directions on R&D funding within a tight fiscal framework.

In addition, H.R. 2605 will have a profound impact on climate research at the Department of Energy. While the Administration jumped on the Kyoto bandwagon, I have always believed that a more science-based assessment of our climate and energy resources is necessary before we use taxpayer funds to support a flawed policy approach.

H.R. 2605 addresses this issue through its inclusion of language, known as the Knollenberg amendment, that prohibits any funds from being used to implement the Kyoto Protocol. This language is consistent with language from Representative ZOE LOFGREN's amendment that was adopted by the Committee on Science as part of H.R. 1742, the Environmental Protection Agency Office of Research and Development Act of 1999, on May 25, 1999. Together, both Ms. LOFGREN's and Mr. KNOLLENBERG's language assures taxpayers that Senate ratification must precede actions to implement the Kyoto Protocol and that the Department of Energy cannot attempt to implement any Kyoto regulations through a disingenuous approach. Given the glaring problems with this unfunded, unsigned, and unratified Protocol, such a limitation is proper and necessary and I commend the Appropriations Committee for including this language in H.R. 2605.

Finally, I want to commend and applaud the Committee's decision to follow the authorization language in H.R. 1655 regarding the Spallation Neutron Source (SNS) project. Specifically, H.R. 2605, through legislative and report language, will require DOE to meet the following criteria before any construction funds are released. The criteria taken from H.R. 1655 are as follows:

1. Certification that senior project management positions for the project have been filled by qualified individuals;

2. Cost baseline and project milestones for each major construction and technical system activity, consistent with the overall cost and schedule submitted with the Department's fiscal year 2000 budget, and that have been reviewed and certified by an independent entity, outside the Department and having no financial interest in the project, as the most cost-effective way to complete the project;

3. Binding legal agreements that specify the duties and obligations of each laboratory of the Department of Energy in carrying out the project;

4. A revised project management structure that integrates the staff of the collaborating laboratories working on the project under a single project director, who shall have direct supervisory responsibility over the duties and obligations described in subparagraph (3.) above;

5. Official delegation by the Secretary of primary authority with respect to the project to the project director;

6. Certification from the Comptroller General that the total taxes and fees in any manner or form paid by the Federal Government on the SNS and the property, activities, and income of the Department relating to the SNS to the State of Tennessee or its counties, municipalities, or any other subdivision thereof, does not exceed the aggregate taxes and fees for which the Federal Government would be liable if the project were located in any other State that contains a national laboratory of the Department; and

7. Annual reports on the SNS project, included as part of the Department's annual budget submission, including a description of the achievement of milestones, a comparison of actual costs to estimated costs, and any changes in estimated project costs or schedule.

In the past, costs associated with some major scientific projects have spiraled out of control because adequate preventative measures were not taken in the early planning stages to limit cost growth. The Superconducting Supercollider and International Space Station are two examples, and I believe that the language on Spallation Neutron Source, when coupled with rigorous oversight, will provide the Department of Energy with the facility they need at a cost that does not cause heartburn for the American taxpayer.

Mr. WELLER. Mr. Chairman, thank you for bringing this important bill to the floor. I wish to thank also Chairman PACKARD for his leadership and work in crafting this bill, a bill that will directly help the residents of the 11th Congressional district of Illinois. Mr. Speaker, the Energy and Water Development Appropriations Bill is a good bill, and I ask that all of my colleagues support it.

Two specific projects are funded in this bill that are important to the citizens of Illinois. Both the Thornton Reservoir Project and the Kankakee River Feasibility Study have been given significant and important funding under this bill. The Thornton Reservoir project continues funding for the Tunnel and Reservoir Project known as TARP. TARP is an intricate system of underground tunnels and storage reservoirs that provide flood relief and control combined sewer overflow pollution into Lake Michigan, the source of drinking water for a large portion of the Chicago metropolitan area. To the project's merit, the completed segments of TARP have helped to eliminate 86% of combined sewage pollution in a 325 square mile area.

The Energy and Water Development Appropriations Bill will provide $4.5 million dollars in construction funding for the McCook and Thornton Reservoirs. This funding will go toward continuing construction of the reservoir portion of TARP. Once completed, these reservoirs will provide a storage capacity of 15.3 billion gallons and will produce annual benefits of $104 million.

The Kankakee River is a very important river for residents of the 11th Congressional District, as well as the residents of Congressmen EWING and BUYER's districts. The river provides scenic, recreational, and commercial opportunities for many. Unfortunately, the river does experience flooding and sedimentation problems both in Illinois and Indiana. The Appropriations committee has been very generous with funding in previous years, providing funds for the Army Corps of engineers to complete a Corps Reconnaissance Study and begin a Feasibility Study.

For fiscal year 2000, the Appropriations Committee has provided $295,000 in funding for the Army Corps of Engineers to continue the Feasibility Study. This is an important project and that will improve the quality of life for those who use or live near the river. I am very pleased to see this continued funding, and thank you again for bringing this important bill to the floor today.

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

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

The CHAIRMAN. All time for general debate has expired.

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

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

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

The Clerk will read.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent that I may be permitted to offer a point of order on Section 506 at this point in the reading.

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

There was no objection.

The CHAIRMAN. The Clerk will read Section 506.

The Clerk read as follows:

Title III, division C, of Public Law 105–277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for fiscal Year 1999 and section 105 of Public Law 106–31, the 1999 Emergency Supplemental Appropriations Act, are repealed.

Mr. YOUNG of Alaska (during the reading). Mr. Chairman, I ask unanimous consent that the section be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against Section 506 of the bill, found at page 36, lines 21 to 25. This language repeals the Denali Commission Act of 1998 and constitutes legislation on an appropriations bill in violation of clause 2(b) of rule XXI of the rules of the House of Representatives.

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

Mr. VISCLOSKY. Mr. Chairman, I reserve my right to be heard on the point of order.

Mr. PACKARD. Mr. Chairman, we have reviewed this, and we recognize that it does violate it. We would concede the point of order.

Mr. VISCLOSKY. Mr. Chairman, I would concede the point of order.

The CHAIRMAN. Section 506 is conceded to be legislation and the point of order is sustained, and Section 506 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, for energy and water development, and for other purposes, namely:

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

Mr. Chairman, I would like to compliment both the gentleman from Indiana (Mr. VISCLOSKY) and our friend, the gentleman from California (Mr. PACKARD) as well for following in the footsteps of two great Americans, Tom Bevill from Alabama, as well as Joe McDade, who chaired this committee before them. I think they have done an outstanding job.

In serving on the subcommittee, I recognize the difficulties the Members have, especially under the circumstances of the limited amount of allocations we have.

Mr. Chairman, let me say that this is a good bill and it deserves the support of every Member of this body. But I would request that the gentleman from California (Chairman PACKARD) and the gentleman from Indiana (Mr. VISCLOSKY) pay attention to a few items of concern to me in the bill.

While I certainly understand the need to effectively cut corners and to save money wherever possible, I do have some very serious concerns about the impact of the bill on the Power Marketing Administrations' efforts to continue to provide low-cost power to rural areas, including those in south Alabama, as well as throughout the Nation.

Additionally, I have concerns regarding the implementation and the monitoring of water compacts under negotiation between the States of Alabama, Florida, and Georgia. Specifically, I have concern about the lack of sufficient water flow and water quality monitoring systems. Even though I have not discussed this with the gentlemen, the gentleman from California (Chairman PACKARD) or the gentleman from Indiana (Mr. VISCLOSKY), this is something of great concern.

Conceivably we are not talking about a lot of money, but it is something that would require some direction to the Corps, or possibly Interior. I just wanted to make the Members aware that sometime during the process we need to look at this problem to see if possibly the two gentlemen would go along with some language in the conference report to ensure that this problem in this water compact between the States of Alabama, Florida, and Georgia are addressed.

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

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

Mr. PACKARD. We have already made assurances that we will deal with the power marketing issue the gentleman has brought up. It is more than just the gentleman's own issue.

On the second issue, I deeply appreciate him bringing that to my attention. We will certainly work with the gentleman in any way we can as we proceed forward with the appropriation process.

Mr. CALLAHAN. I thank the chairman.

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

Mr. CALLAHAN. I yield to the gentleman from Alabama, in whose district this problem lies.

Mr. RILEY. Mr. Chairman, I would just like to thank the gentleman for bringing this to the attention of the Committee. I think there is a debate right now of what committee this jurisdiction will actually fall under.

But as the gentleman from Alabama mentioned a moment ago, this is a compact that has been negotiated now for about 2 years. One of the problems they face in these water negotiations is having a historical record that they can rely on. So I think it is going to be almost imperative for us to do something to put in these gauges, these monitoring sessions, so we do have a historical record.

So as we go into conference, I hope that the chairman will look upon this with favor, work with us as we work through this process, and see if we can, and as the gentleman from Alabama said, this is not a lot of money, but it is something that is absolutely vital to Alabama and Georgia and Florida's negotiating structure.

I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $158,993,000, to remain available until expended: *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use the remaining unobligated funds appropriated in Public Law 102–377 for the Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, project for the feasibility phase of the Red River Navigation, Southwest Arkansas, study.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,412,591,000, to remain available until expended, of which

such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri; Lock and Dam 14, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota; London Locks and Dam; Kanawha River, West Virginia; and Lock and Dam 12, Mississippi River, Iowa, projects; and of which funds are provided for the following projects in the amounts specified:

Indianapolis Central Waterfront, Indiana, $10,991,000;

Harlan/Clover Fork, Pike County, Middlesboro, Martin County, Pike County Tug Forks Tributaries, Bell County, Harlan County, and Town of Martin elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in Kentucky, $14,050,000; and

Passaic River Streambank Restoration, New Jersey, $8,000,000.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g–1), $313,324,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,888,481,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $117,000,000, to remain available until expended: *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $5,000,000 of funds appropriated herein to fully implement an administrative appeals process for the Corps of Engineers Regulatory Program, which administrative appeals process shall provide for a single-level appeal of jurisdictional determinations, the results of which shall be considered final agency action under the Administrative Procedures Act: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, shall, using funds provided herein, prepare studies and analyses of the impacts on Regulatory Branch workload and on cost of compliance by the regulated community of proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act: *Provided further*, That none of the funds made available under this Act may be used by the Secretary of the Army to promulgate or implement such replacement permits unless and until the Secretary of the Army, acting through the Chief of Engineers, has submitted the aforementioned report to the Committees on Appropriations of the House and Senate, the Transportation and Infrastructure Committee of the House, and the Committee on Environment and Public Works of the Senate: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, shall not terminate the current nationwide permit 26 unless and until the aforementioned report has been submitted to the Committees on Appropriations of the House and Senate, the Transportation and Infrastructure Committee of the House, and the Committee on Environment and Public Works of the Senate.

AMENDMENT NO. 3 OFFERED BY MR. VISCLOSKY

Mr. VISCLOSKY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. VISCLOSKY:

Page 5, line 25, strike the comma and all that follows through page 6, line 23, and insert a period.

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

Mr. VISCLOSKY. Mr. Chairman, I would indicate that the amendment before the body is offered by myself, the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Pennsylvania (Mr. BORSKI), and it goes to correct the one deficiency in the bill relative to the Clean Water Act, relative to preserving wetlands in the United States of America, and relative to the veto issue by the administration relative to the language.

It relates to two provisions in the bill, jurisdiction as far as wetlands and the Army's Corps of Engineers, and a program called Permit 26.

I have talked about the importance of wetlands in my earlier remarks. I have talked about the generic situation we find ourselves in. I would like to use the time allotted to me to talk about the potential arguments raised against the amendment, and why I think the amendment ought to be adopted.

As far as the jurisdictional arguments, I do believe that they would, as the bill is currently constituted, lead to more litigation. Several speakers before us on the floor today talked about the delay involved as far as the implementation of the new procedures as far as the appeal, the new permitting process.

There would be much further delay if the language continues to stand. There would be additional burden on the Corps, and again, we would see an increase in litigation.

As far as Permit 26, some might argue that Permit 26 works. It facilitates the process. To some minor extent, they would be correct. The problem is as far as the overarching policy we are concerned about here, that is, the preservation of our wetlands. I would note again that we are losing 70,000 to 90,000 acres a year. Permit 26 is part of the problem. I would not presuppose that it is all of the problem, but it is part of the problem, and it ought to be fixed for that reason, and for the reason that it is not in compliance with the Clean Water Act.

Some would say that this is going to increase the workload for the Army's Corps of Engineers. Earlier when the acreage was reduced in Permit 26, this same argument was raised: We are going to increase delays, we are going to increase the process, and burden two property owners.

The fact is, that turned out not to be true. There were 55,000, approximately, general permits issued in 1996 before the acreage was reduced. In 1998, general permits issued to facilitate the process did increase to 64,000. But on the other hand, the individual permits, which do take more time, were reduced from 5,028 in 1996 to 4,931.

Will there be some increase as far as the burden to the Corps? Quite possibly, but it is manageable, and the Corps is ready to assume that responsibility. Is there going to be increased cost to those who own property, who develop property? Only if they deal with wetlands.

As far as the time delay, I would point out that, again, before Permit 26 was changed in 1996, the average evaluation time for individual permits was 88 days. In 1998, it was reduced to 87 days, and it is my understanding for the individual development of a property that the delay, if you would, or the time involved before construction is started is anywhere from 6 months to a year. These are not consecutive sequences, they are concurrent.

Does the Corps listen to anybody? Has the Corps simply run roughshod over the process? That is another issue that has been raised. I think, again, it is incorrect. There have been over 10,000 comments issued in three different public comment periods. In some cases the Corps has made fundamental changes and agreed with the developmental community.

The developmental community wanted time limits for the Corps to respond regarding a completed application, and as far as the proposed Permit 26, the Corps said, you are absolutely right, it should be included.

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Inversely, as far as the environmental community is concerned, they asked at one time that there be a complete prohibition in critical waters in 100-year floodplains. They asked for a complete revocation of permit 26 with no replacement, clearly an additional burden to the developmental community and the Corps said absolutely not.

That is going too far in the other direction.

In the earlier debate, there was talk about the delay involved. This is a very precise, very complicated issue. The Corps is trying to do it correctly and have been about that task in both instances since 1996.

PERFECTING AMENDMENT OFFERED BY MR. BOEHLERT

Mr. BOEHLERT. Mr. Chairman, I offer a preferential perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. BOEHLERT:

Page 6, line 11, after ''until'' insert the following: ''30 days prior to the final publication of the proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act''.

Page 6, line 13, strike ''report'' and insert the following: ''studies and analyses not later than December 30, 1999''.

PARLIAMENTARY INQUIRY

Mr. VISCLOSKY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman from Indiana will state his parliamentary inquiry.

Mr. VISCLOSKY. My question, Mr. Chairman, is if the perfecting amendment of the gentleman from New York (Mr. BOEHLERT) is adopted, will the Visclosky-Oberstar-Borski amendment to strike still be the pending business before the House, and will our amendment, that is, the Visclosky-Oberstar-Borski amendment, if adopted, strike the perfected language?

The CHAIRMAN. The Chair finds that the amendment offered by the gentleman from Indiana is properly treated as a motion to strike. The amendment offered by the gentleman from New York is a perfecting amendment to a portion of the text proposed to be stricken. As such, the perfecting amendment may be considered as preferential, and the motion to strike is placed in abeyance.

After disposition of the perfecting amendment, the committee will decide the motion to strike the specified text, as it may be perfected or not.

Mr. BOEHLERT. Mr. Chairman, I have an amendment to perfect the text that the gentleman from Indiana (Mr. VISCLOSKY) hopes to strike. The amendment I am offering comes after extensive dialogues with my friends and associates and partners, both in the environmental community with whom I am closely associated, and development communities, as well as with the gentleman from California (Chairman PACKARD).

Let me tell my colleagues, this has involved extensive negotiations. Because I will say this, essentially, the gentleman from Indiana (Mr. VISCLOSKY) and my friends in the environmental community are right in expressing their concern that a report on the costs associated with the implementation of a new nationwide 26 permitting program should not be a vehicle to delay the implementation of this program. Let me emphasize and repeat that, should not be a vehicle to delay the implementation of this program.

That is why I am offering an amendment that would make it absolutely clear that a report on costs of implementation would not impede the wetlands nationwide permitting program.

My amendment makes it absolutely clear that the report be required, must be submitted to Congress no later than December 30, 1999. Let me read to my colleagues where we are coming from in the actual language of the bill. It will read, if I am successful with this amendment, ''That none of the funds made available under this Act may be used by the Secretary of the Army to promulgate or implement such replacement permits unless and until 30 days prior to the final publication of the proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act the Secretary of the Army, acting through the Chief of Engineers, has submitted the aforementioned studies and analyses not later than December 30, 1999.''

That is very specific. There is no wiggle room.

In the July 21 Federal Register, the Corps stated for the record that they had ''extended the expiration date for nationwide permit 26 to December 30, 1999.''

My amendment assures that the report being legitimately requested by Congress on the costs of a new permitting scheme will not stop the Corps, will not stop the Corps from going final on their nationwide permit 26 changes on the date that they have projected to go final.

I believe this amendment addresses the real environmental concerns that have been expressed.

I have also included language requesting the Corps to submit their report to Congress at least 30 days before implementing a new nationwide permit scheme. I think that is a legitimate request. Because I have the pleasure and privilege of serving as chairman of the House Subcommittee on Water Resources and Environment, the committee of jurisdiction, I would like to know what the costs in both dollars and manpower, what the costs will be for these new regulations that we are going to impose on the Corps.

Again, let me make it clear, this amendment coming from me is a pro-environment amendment, an amendment that makes sense, an amendment that has been worked out. They did not just snap and accept it and say that I am right, and they agree. We had to really work on this thing. But it has been accepted by the gentleman from California (Chairman PACKARD), and I urge all my colleagues to support its adoption.

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

Mr. BOEHLERT. I am glad to yield to the distinguished gentleman from California.

Mr. PACKARD. Mr. Chairman, the gentleman is correct. We have worked long and hard to work out an agreement that is acceptable. We have no intention in the language of the bill to delay this process. We simply felt that the report was required. I think the gentleman from New York has concurred in that in his statement.

I fully support the amendment of the gentleman from New York (Mr. BOEHLERT). I think it is an improving amendment, and I think it is improving from both a process point of view as well as an environmental point of view.

Mr. BOEHLERT. Mr. Chairman, I appreciate that. I appreciate coming into the discussions and rather tough negotiations in the spirit the gentleman from California did. He was willing to listen, and he was willing to consider another point of view. Because, initially, as the gentleman well knows, we did not see eye to eye. He did not think this thing needed to be changed. I did. The gentleman from Indiana (Mr. VISCLOSKY) feels that, too.

Let me read from the Federal Register back on July 21 when they are talking about the proposal to issue and modify nationwide permits. They point out this, ''the Corps will spend more time on projects with the potential for more environmental damage and less time on projects with minimal adverse effects on the aquatic environment.'' I support that and obviously urge support for my amendment.

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

Mr. Chairman, I would, first of all, indicate my regard for the abilities, intellect, as well as the commitment to the environment of the gentleman of New York (Mr. BOEHLERT). I appreciate his working with the chair and the committee to make the bill a better bill. But I make a couple of observations to my colleagues.

The first is that the language proposed by the gentleman from New York essentially provides for a political solution to a fundamental flaw in the legislation as far as the Clean Water Act and protecting wetlands.

Secondly, I do think that, again, the underlying language that we are talking about is extraordinary as far as the additional costs to the Corps to now issue these reports and studies, the diversion of their energies, and a potential delay from the proposed end of these programs; and that is for the jurisdictional issue to be resolved in September and permit 26 to be resolved in November. That, despite the December 30 date in both of these instances, the time frame we are facing today is shorter, so there is still a delay involved.

Additionally, I think it is extralegal because, under permitting, there is no requirement for the agency to provide a costs study. So what is being requested here is outside of what is legally required under the law.

The gentleman's language does not touch upon the issue of jurisdiction that is part of the amendment that is pending before the House.

But saying that, I can read English. I respect the gentleman. The gentleman has, in a way, improved the language of the bill, and I appreciate him for doing it. I accept the gentleman's language, and I would ask every one of my colleagues in the House to do the same.

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

Mr. Chairman, I rise in support of the Visclosky-Oberstar-Borski amendment. Mr. Chairman, first of all, let me say to those who may have just tuned into this discussion that the issue at hand that we are talking about is wetlands. That word has not entered into this discussion very much, and it does not usually enter into the discussion much on this floor, at least in recent years.

But I think it is fundamental that we understand how important wetlands are to our planet. They are the fundamental breeding grounds of our planet. Nationwide, wetlands serve as home to 43 percent of our threatened and endangered species. Nearly 70 percent of our commercial fishing catch in this country depends upon these fragile areas.

They also serve as our nature's water treatment facility. They act as a sponge to intercept sediment, polluted runoff, and toxic substances before they contaminate our lakes and our rivers and our streams. They are a fragile part of our ecosystem that brings great joy, great beauty, a tremendous sense of serenity to literally tens of millions of people in this country and abroad. They are, indeed, a very special place.

Now, there has been much talk recently in the country about this thing called sprawl. This area that we discussed tonight, wetlands, has been a victim of that and at an alarming rate. When I talk about an alarming rate, we are letting anywhere between 70,000 to 90,000 acres of wetland be destroyed annually in our country.

One acre of wetlands can store more than 360,000 gallons of water runoff. As I said earlier, they are an important filter for our water system. It was not very long ago, not very far from my State of Michigan, where 104 people died of poisoning from cryptosporidum in their drinking water.

So when we engage in this discussion about this fragile important piece of our planet, it is important to understand that the American people are demanding we do something about this question of clean water. My colleagues cannot address the clean water issue unless they address the question of wetlands.

One of our cheapest and most natural ways to do that is to protect our wetlands. And at a time when our older communities are struggling with the cost of updating their sewers, we should be making it easier to protect these natural water flows and water filters.

The bill before us today has two riders which actually make it harder to protect our wetlands. One would prevent the Army Corps from implementing a common-sense activities-based permitting proposal. The Corps wants to implement a permitting process that would be on a case-by-case basis to protect practices which damage our natural wetlands. But this bill stops the Corps dead in their tracks.

The other rider would eliminate public input from the wetlands decision making process by allowing the Federal courts to issue permits straight to the developers.

Our communities have a right to provide input, not just for wetland permits, but for activities which affect our waters, our ecosystems, and our way of life and our quality of life.

I just want to encourage all of our colleagues to think about the implications here before we go rush off and pass this bill without addressing this question. This amendment is a good amendment. It strikes a good balance in the bill. It preserves for us and for our ancestors a very fragile part of our planet that serves us all so very well.

I want to thank the gentleman from Indiana (Mr. VISCLOSKY), the gentleman from Pennsylvania (Mr. BORSKI), and the gentleman from Minnesota (Mr. OBERSTAR) for having the foresight to bring this to the floor. This amendment is supported by all the environmental organizations. Trouts Unlimited, hunters, fishermen, folks across this country understand the nature of what we are talking about here. I would encourage all of my colleagues to vote ''yes'' on this amendment.

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

Mr. Chairman, first of all, I want to compliment the gentleman from California (Mr. PACKARD), chairman of the Subcommittee on Energy and Water Development for bringing forth a very difficult, complicated, yet sophisticated piece of legislation to deal with the Nation's resource needs, energy needs, water needs. This is not an easy task to follow, to implement.

I also want to compliment the gentleman from Michigan (Mr. BONIOR) for his eloquent statement about the need for this Nation to, not only protect the Nation's wetlands, to not only come up with a proposal for no net loss of the Nation's wetlands, but to add to the Nation's wetlands, because they are what he has spoken, the world's filtering system for the dwindling supply of water.

□ 1815

It does create habitat and spawning grounds for most of the fish in the world. So wetlands are important.

I want to make just a brief statement about this country, the United States. We are as sophisticated as we are right now, we are as successful as we are right now for four reasons: democracy, our political system; an endless frontier; an abundance of natural resources; and character. We are about character and democracy, but we are diminishing our resources because of the expanding population, and our frontier is gone. We are a developed Nation.

So what is our next frontier? What is the most important thing we can do now? Understand that for future unseen generations we need to be as sophisticated as possible to recognize the next frontier is an intellectual frontier on how to manage and increase and improve the way we use the Nation's resources.

Now, this energy appropriations bill goes a little way toward doing that. We will do this on an annual basis. The gentleman from California (Mr. PACKARD) has taken a diverse amount of material, disparate interests, and he has put together, or pieced together a package to do something about the Nation's resources. And I am going to support the Boehlert amendment because it does what we want to do.

Let me run through a couple of other items. The gentleman from Indiana (Mr. VISCLOSKY) said that the President had an edict that we were going to get rid of Nationwide 26. What is Nationwide 26? It is a regulation that came out in 1996 that said the Corps of Engineers could not issue permits for isolated wetlands or wetlands on the headwaters of our Nation's waterways for any particular activity.

Now, they have studied that for several years to see its impact. The President said last October that by this July he wanted to eliminate Nationwide 26. The Corps said they could not do it by then, so they pushed it off until September. Now they have pushed it off until December, according to the Federal Register. The Corps of Engineers is not going to eliminate Nationwide 26 permitting process until December.

Now, does the gentleman from New York (Mr. BOEHLERT) offer a delay to that? Does this stop the Corps dead in its tracks? The answer is no. There is no delay in the proposal of the gentleman from California (Mr. PACKARD) or the proposal of the gentleman from New York (Mr. BOEHLERT). Does it cause a burden on the Corps? I personally do not think so. The Corps can pool its resources with the help of this Congress and decide by December 31 that Nationwide 26 will be eliminated and we will propose some permits for activities in the Nation's wetlands.

What is the cost of the Corps to do this? We ought to know. Do they need any more people on the ground to evaluate the activity to issue the permit? We should know this. What is the cost to the community that would like to propose those activities? I think some of the cost to the regulations by the bureaucracy is arbitrary. We do not know as Members of Congress when we issue statutes what happens. We ought to know the cost to the Corps, because we have to propose funding for the Corps, and we should know the cost to the people that want the permits to do those activities so we can better expedite the entire process.

The language in this proposal by the gentleman from New York (Mr. BOEHLERT) is not a political solution; it is a practical solution. There is no potential delay. The language says by December 30. That is what the Corps said themselves.

We should know the cost estimate, and we should know the activities. I would urge my colleagues that a more sophisticated approach to protecting the Nation's wetlands is to know the full impact of what the Corps is about to do. I want to preserve those wetlands. We want to increase the number of wetlands.

Mr. Chairman, I urge support for the Boehlert amendment.

The CHAIRMAN. If there is no more debate on the Boehlert perfecting amendment, the Chair will put the question.

The question is on the perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT).

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

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

The CHAIRMAN. Pursuant to House Resolution 261, further proceedings on the perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT) will be postponed.

The point of no quorum is considered withdrawn.

Debate will continue on the underlying Visclosky motion to strike.

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

Mr. Chairman, in 1993, the Clinton administration directed the Corps of Engineers to establish an administrative appeals process for wetlands determinations. That instruction came with a 1-year time line to perfect those guidelines. However, it was 1995, a full year later, before the Corps proposed an administrative appellate process but was not able at that time to fully implement that plan.

It was then 2 years later, in January of 1997, that the Corps testified that they would need some $5 million to implement their administrative review process. The Congress responded and made those funds available.

In 1998, in January, the Corps announced the appellate process that they were formulating as a result of the $5 million appropriation would only review denied permits, not jurisdictional determinations.

Why is this significant? Well, it means a small landowner or a small businessperson must go through the entire administrative appellate review process and spend significant amounts of money to defend their right to their property. Only when they were denied were they then able to go on to an administrative appeal if the Corps' proposal had been enacted.

In 1999, the Congress was told that the Corps would need an additional $5 million to implement an administrative appellate process to include jurisdictional determinations. Now, finally, some 7 years after the Clinton administration directed the Corps to prepare and implement an administrative appellate process, we find in this legislation, as proposed by the gentleman from California (Mr. PACKARD), the important remedy to small landowners across this country.

For those who do not live in a State like Louisiana, where increasingly human habitation is being found impermissible by the Corps of Engineers, it may be difficult to understand the significance of wetlands determinations. A couple who owns a small dry cleaners back home worked hard, many hours, saving as best they could to put money aside to acquire their dream of homeownership. They bought 5 acres of property in a rural part of Livingston Parish.

As they were making their decisions about where they might build their home on this piece of property they were acquiring, a friend told them they had better call the Corps of Engineers and have them come out and make a determination before they decided on their building location.

Well, the fella happened to own a tractor, and what is called back home a bush hog, a piece of equipment for cutting grass, normally. Well, he took the tractor and the bush hog and he went out and topped the 5-acre tract so he could get a better idea of where the trees were located and what might be an attractive place to put the home.

When the Corps of Engineers came out, they were not particularly impressed with this young man's activities. They determined right off the bat, using an inaccurate floodplain map, that the property in question was a wetland and that he had inappropriately cut down young trees. Not only were they not allowed a permit to build in a timely fashion on that property, they were told they had to replant 50 trees at their expense and be responsible for the life of those trees, for their continued growth and safety.

This couple soon realized what they had gotten themselves into: that they had spent 10 years of their life working to save money to buy their American dream only to be told by a government agency, ''I am sorry, if you want to object to our determinations, you are going to have to go all the way through the process; and only at the end, if you are denied a 404 permit, will you have the right to go to court and spend more money to try to overturn a decision of the United States Government.''

This is ridiculous. The couple has abandoned their hopes of building on the 5 acres and are now back in their dry cleaners, working again this evening, trying to save money to buy another piece of property on which they hope to build their home.

Now, we are not asking that the delicate environmental balance that exists in this country be upset. But let me tell my colleagues, those of us from Louisiana understand delicate environmental balance. Our economy is based on agriculture and fisheries. The wealth of the Gulf of Mexico feeds most of the people around here who go to Washington restaurants and eat these crabs that say made in Louisiana, though I would be interested in knowing where they really come from. Our biggest problem with the environment is not polluting waters, it is gillnetters from out of state, who take monofilament nets and, frankly, destroy our fisheries by hauling them out of state for other purposes.

What we are asking for is just a simple opportunity. If the Corps of Engineers says a landowner cannot build their house on their property that they paid for, we think that landowner should have a chance to have a jurisdictional determination first. Does the Corps have the right to do this to this landowner and can the landowner not get this determination made before they have to spend thousands of dollars defending their right to own property in what is supposed to be a free country.

I congratulate the gentleman from California (Mr. PACKARD) and the committee for finally having put in to a proposal a decent common sense opportunity for small business people and landowners around this country to have the chance to be heard before the government takes their land away.

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

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

Mr. BORSKI. Mr. Chairman, I am pleased to join with the ranking member of the subcommittee, the gentleman from Indiana (Mr. VISCLOSKY) and with the ranking member of the Committee on Transportation and Infrastructure, the gentleman from Minnesota (Mr. OBERSTAR), in offering this amendment. This amendment will strike the harmful riders which would undermine Federal protection of our Nation's wetlands and needlessly increase litigation.

Mr. Chairman, regrettably we are once again debating anti-environmental riders in an appropriations bill. This practice is simply not acceptable. First, this rider undercuts the national protection of wetlands; second, the bill will increase litigation over the wetlands issue; and, third, these issues should be considered and fully debated in the Committee on Transportation and Infrastructure where they belong under the rules of the House.

Furthermore, while anti-environmental riders should not be considered in any appropriations bill, it is particularly unfortunate to see this type of controversy in the energy and water appropriations bill. Historically, this bill is considered to be noncontroversial and receives broad support. The wetlands rider in this bill creates unnecessary controversy and ends that

bipartisan support and, in fact, will liked result in a presidential veto of this bill. The Visclosky amendment removes the controversy and ensures this bill an overwhelming vote.

Mr. Chairman, our Nation's wetlands are a critical natural resource deserving of a special level of protection. Not only are wetlands essential for protecting water quality and the health of aquatic ecosystems, but wetlands are the front line of defense against the devastating effects of flooding.

As many of my colleagues know firsthand, one of the greatest benefits provided by our Nation's wetlands, both economically and environmentally, is that of flood protection. Wetlands serve as natural holding areas for heavy rainfall and snow melts, temporarily storing the excess waters for slow release in surrounding areas and recharging groundwater, thereby reducing the damage to downstream farms and communities.

In the process, these vital areas limit the spread of pollutants by naturally assimilating contaminants and often provide critical habitat and nursery areas for migratory birds. Unfortunately, since the 1600s, more than half of the original wetlands in the lower 48 States have been destroyed. Wetlands across the Nation have been drained at an alarming rate, up to 100,000 acres annually, and subsequently converted to farmlands, built for housing developments and industrial facilities, or used as receptacles for waste.

Yet what is even more unfortunate, Mr. Chairman, is the fact the provisions contained in this bill would assist in the destruction of an even greater number of wetlands. First, the legislative proposals contained in this bill would delay the implementation of a revised nationwide program for wetland development. Currently, the discharge of fill materials into certain types of waters is allowed without regard to the type of activities being conducted and without prior notification or delineation as a protected wetland.

In fact, since 1993, the administration has called for a complete review of the wetlands program, and just a few weeks ago the Army Corps of Engineers published a proposal to correct the deficiencies. The riders contained in this bill will needlessly delay the implementation of the new nationwide permitting program, continuing the loss of wetlands. That is unacceptable.

Instead of continuing the destruction of wetlands, we should allow the Corps of Engineers to finish the work on the revised permit system, providing additional protections to our vital wetland resources, yet still allowing continued development of selected wetlands areas.

Mr. Chairman, this proposal also will needlessly increase the amount of litigation surrounding the wetlands permit program. Under the current program, an individual may seek a determination by the Corps to identify whether or not a wetland exists on their property in advance of any planned development. Because such determinations are not always tied to any real desire to develop lands, these agency determinations are not litigated. This rider allows these issues to be challenged in court. We certainly do not need any more lawsuits.

□ 1830

While I support establishing an administrative appeals process for jurisdictional determination, this should not create new multiple opportunities for lawyers.

In addition, this threat of litigation is intended to cause the Corps to be significantly more conservative in its determination of what is a wetland in order to avoid future litigation. This can only result in the further development of greenfields at a time when we should be encouraging continued redevelopment of urban and rural brownfields.

Mr. Chairman, as I stated earlier, our Nation's wetlands are an important but rapidly diminishing natural resource. We cannot accept riders in appropriations bills which further diminish their protection. This amendment will stop this rider and protect these precious resources.

I urge my colleagues to support this amendment.

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

Mr. Chairman, I would like to address the two issues that are in this amendment. Let me take the nationwide permit 26 issue first. I will try to be brief on that, because I honestly believe that the Boehlert amendment essentially removes all of the concerns for this portion of the amendment by the gentleman from Indiana (Mr. VISCLOSKY).

Frankly, all this provision is in the bill is a reporting provision. It simply asks for a report. It is nothing more than that. It does not change the process. It does not change the regulations. It does not change the impacts. It does not change any part of the existing law as it relates to wetlands. It only requires a report.

That report will be done before the Corps, at their own admission, can implement the change from the nationwide process to the individual permitting process.

I cannot see any reason for Members to disagree with the provisions that are now in the bill, as amended, on this nationwide permitting process.

I should mention that the Corps itself has admitted that individual permits will take five times longer to process than the nationwide permit 26 general permits will take. The Corps further said, just the other day, last Wednesday, in the Federal Register, the Corps reported that the proposed changes will cause a substantial increase in the Corps' workload by requiring individual permits for activities that would otherwise be evaluated through the nationwide permit program.

The Corps estimated that just one of those proposed exclusions would result in two to three thousand more individual permits per year, at least a 40-percent increase over the current individual permit workload. Can any of my colleagues feel it is not necessary to find out what problems that will cause in the processing?

The Corps is going to have to do more work. They have admitted that. All we want to do in this report is to find out how much more required work it is going to be. Can the Corps handle it? Will it cost more for the Corps? Will we have to provide more funds for the Corps? Will it cost more to the applicant? And, will it cause delays?

All of these questions need to be answered. And the Corps can do it under the Boehlert amendment. Not only can they do it, they must do it before they implement it by the end of the year, which is the time that they said it would take to implement this process anyway.

So much for the nationwide permit process. I can speak a lot more on it, but I will not because far more important is the next issue. Because again, I believe the Boehlert amendment solves the problems in the nationwide permit issue and deserves really no further discussion.

But on to the other portion, that is the administrative appeals process. My colleagues, this is my biggest concern. I get complaints on this process from cities, from counties, from school boards wanting to build schools, water districts wanting to put the sewer and water lines in, State and county facilities that need to be put in to service the people, to build roads, and to build parks.

They are the ones that are struggling more with this now than the private sector is, and they are the ones that are complaining. I have a list of letters from the cities and counties in my district asking us to do something to make it easier for them to go through the process.

My bill very modestly addresses the problems that they have brought to my attention. And the modest change we recommend is to give the cities, the counties and private enterprises that need to develop their land the same opportunity as third parties that may disagree with the Corps' decision.

Let me explain briefly, all this does under current law. I may not have sufficient time to do this, but I will seek time from others to allow me to complete it.

I will use a school district as an example because that is the one that I have heard from most recently, a school district wanting to build a new school. If it is determined by the Corps that they have a wetland on their school site, whether there is or not, if it is declared a wetland by the Corps, then the school district is required to go through the long and drawn out and

expensive process of seeking a 404 permit; and they have to complete that 404 permit application and be denied before they can go to court to determine if, in fact, they do have a wetland.

Now, in the meantime, a community group that may be opposed to the school district building a school, can immediately go to court. If the court decides that there is no wetland on the site and this group is objecting to it, they can immediately go to court.

The CHAIRMAN. The time of the gentleman from California (Mr. PACKARD) has expired.

(By unanimous consent, Mr. PACKARD was allowed to proceed for 5 additional minutes.)

Mr. PACKARD. Mr. Chairman, so if the school district is seeking a 404 permit, they cannot take it to court. But someone else can take it to court if the court decides that it is not a wetland on the site.

That is an injustice to the applicant, in my judgment. It definitely favors the third parties and penalizes the applicant.

All my bill will do will be to allow the school district in this instance to challenge the decision that there is a wetland on the site. And they can appeal it to a higher level within the Corps, not at a different agency, within the Corps. The Corps, if they decide, yes, there is a wetland, then the school district can go to court and verify that that decision is correct before they have to go through the long, drawn out expensive process of a 404 permit.

Now, I do not understand what is wrong with that process. It simply gives the school district in this instance exactly the same options within the courts as a third party that may object. To me, that is fair, it is reasonable, it is very sensible, and certainly a very modest change in the process.

I urge my colleagues to recognize that it is not just the big developer that is affected by the rules and the regulations and the process. It is cities, it is schools, it is water districts, it is counties that want to do something for the people that they represent and that they serve.

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

Mr. PACKARD. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I want to point out that the standard of review for a court determination that the Corps has made an improper determination of what is a wetland is the arbitrary and capricious standard.

I am sorry, if the Corps has made a wetland determination that is arbitrary and capricious, and I am not suggesting it does it left and right, then it should be examined in the courts.

Mr. PACKARD. Mr. Chairman, reclaiming my time, I thank the gentleman for his comment.

All this does is to give a chance for any applicant, any property owner, whether it be public or whether it be private, a chance to be certain that this is really a wetland. I do not understand why that is such an egregious request.

Mr. Chairman, I hope and pray that my colleagues will recognize that this is a very modest change and that they will defeat the Visclosky amendment and allow the bill, as now amended and improved, to stand.

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

Mr. Chairman, 10 years ago President Bush announced a no-net-loss policy for Wetlands in this country; and, as a local official, I saluted him for that. It was a policy that was long overdue.

We have heard colleagues from both sides of the aisle talk about the need to protect wetlands in this country. Yet we continue to fall far short of the goal articulated by President Bush.

We can quibble about the statistics, but we are still losing between 1,000 and 2,000 acres per week, 50 to 100 thousand acres per year, year after year, losing this precious resource.

The gentleman does not understand why we should intervene quickly if someone is proposing to develop land as opposed to a slight delay or a longer delay in terms of development. There is a big difference. Because if we allow development to proceed forthwith, we lose that wetland. There is a big, big difference.

I can understand in my mind why it would be sound Government policy to act immediately if there is a potential for losing this activity.

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

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

Mr. PACKARD. Mr. Chairman, this provision, I think, is better known now as the puppy. The gentleman has not met this puppy. It is not a puppy that wants to destroy wetlands. Nor is it a puppy that wants to delay the process.

The provision in the bill does not change any of the procedures required by an applicant. It simply gives them the opportunity to appeal the decision. But it certainly is not going to deplete wetlands. That is simply not an issue in this.

Mr. BLUMENAUER. Mr. Chairman, reclaiming my time, I was explaining why it was sound Government policy to permit an immediate action if we are going to lose a resource that is going to be lost for centuries or millennia, as opposed to having a slight delay for development that people can go ahead and appeal and can move forward.

We have seen tremendous progress that has been made streamlining. And, in fact, we have streamlined in many cases too well. We have not halted the loss of the wetlands in this country.

Wetlands, as has been documented, are the cheapest way that we are going to provide flood control. They are the cheapest way that we are going to provide for endangered species. It is the most cost-effective way for combined sewer overflow problems that plague over 1,100 communities around the country.

It is, with all due respect, an effort that a number of us who are concerned environmentally see this as being putting sand in the gears. The last thing an underfunded, overworked Corps of Engineers needs to do is to come forward with yet another study.

They are working on this. I have been a critic at times of the Corps, but I am impressed with the 180-degree effort that has been undertaken on behalf of the Corps of Engineers. We do not need to sidetrack them. They have had over 10,000 comments, moving forward.

Let them develop an administrative procedure for appeal. Do not move it automatically to the courts, undermining some of the incentives that we have now for people to work cooperatively to solve these problems.

We do not need, in my judgment, for us to go once again in an appropriations bill undercutting the work that we appropriately do in the authorizing committee.

I would defer to my friend from New York, the chair of the Subcommittee on Water Resources and Environment, for work that he might do in terms of fine-tuning. In fact, I urge that we bring some of our friends together from a variety of water resources agencies because it goes beyond the Corps of Engineers. It includes FEMA. It includes Interior, the Bureau of Reclamation. There are a wide range of people that need to be involved.

I am not concerned if we require local governments, water districts, school districts, even some Federal agencies to play by the same rules that we require the private sector. That is not an argument for pulling the plug. I think that helps us fine-tune and move the process forward.

The CHAIRMAN. The time of the gentleman from Oregon (Mr. BLUMENAUER) has expired.

(By unanimous consent, Mr. BLUMENAUER was allowed to proceed for 2 additional minutes.)

Mr. BLUMENAUER. Mr. Chairman, I appreciate the courtesy of my colleagues.

I have long felt that one of the problems we have in the Federal Government is that we do play by different rules, whether it is the post office that does not obey local land use laws, zoning code, environmental regulations. I think the Congress should move forward to make sure that we all play by the rules.

But for heaven's sake, I think it is ill-advised, when the Corps of Engineers is, in fact, moving in the right direction, for us to throw sand in the gears as it relates to permit 26, require an overworked, underfunded Corps to come forward with yet another study and to enact a separate appeal process rather than have an administrative repeal.

□ 1845

I strongly urge support for the Visclosky-Borski-Oberstar amendment and that we move away from this notion of environmental legislation with the appropriations process.

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

Mr. BLUMENAUER. I yield to the gentleman from Louisiana.

Mr. BAKER. I just wish to point out that the appropriations process gave an additional $11 million for regulatory and administrative procedures in the proposed budget, and, secondly, just a quick Louisiana note, we lose more wetlands in one 2- or 3-day period from one Stage or Level 3 storm called a hurricane than we do in the entire year of normal geological processes. If the gentleman really wishes to help us save wetlands in Louisiana, we just need a few bucks to do some onshore revetments to protect whatever precious wetlands we have left. Otherwise our coastline is going to be up somewhere south of Arkansas.

Mr. BLUMENAUER. Reclaiming my time, with all due respect, I think there are a whole host of areas we could constructively discuss in terms of what has happened environmentally with the State of Louisiana. I think by some ill-planned efforts that have gone, including the Federal Government, over the years, that we have helped create sort of an environmental time bomb in terms of Louisiana.

Mr. BAKER. I will agree with the gentleman, if he will yield further just quickly. One of the problems, which I know that he would not support, would be to let the Mississippi River meander to its natural course.

Mr. BLUMENAUER. Mr. Chairman, I will talk with the gentleman about the Mississippi River flood control and these sorts of things at another time.

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

Mr. Chairman, I want to make a quick comment that the gentleman from Louisiana stated earlier about crabs and restaurants in Washington, where most of them come from Louisiana. I would just like to say that a good portion of those crabs come from the Chesapeake Bay in Maryland.

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

Mr. GILCHREST. I yield to the gentleman from Louisiana.

Mr. BAKER. The gentleman is absolutely correct. I appreciate him for correcting the official record on this matter. I would point out, however, it is the small ones that come from Maryland.

Mr. GILCHREST. Reclaiming my time, it is the big, meaty blue crabs from the Chesapeake Bay. I thank the gentleman from Louisiana. We are also working on the nutria problem. I know you guys eat them down there. We do not do that up here.

I would like to respond to the gentleman from Oregon for whom I have great respect and with whom I realize and all of us here collectively certainly want to do everything we can to add to the Nation's acreage of wetlands, but as far as two quick items:

The appeals process that is in this legislation. One, it offers someone that has been, if you want to, and I cringe when I say this word, develop or have some activity on wetlands, which I think we should avoid them at all cost and find some other alternative. But if you disagree with the Corps when they say that they have delineated that piece of acreage as a nontitled wetland, what can you do then? In the bill, the gentleman from California (Mr. PACKARD) has said, you can appeal that to a higher level of the Corps of Engineers and then they will determine whether the person on the ground delineated that piece of wetlands correctly. If the Corps sustains the original delineation, then the individual or the group can go to a Federal court. But the Federal court is not going to overturn the Corps' delineation unless it is judged to be arbitrary and capricious. That is rock solid.

The other issue we are talking about here is Nationwide 26 which is a small, narrow area of nontitled wetlands, of wetlands in general. It is not the whole program of section 404. It is a narrow part of section 404 dealing with three acres or less that are considered isolated, are considered at the headwaters of an area. Personally I do not think those isolated wetlands should have activity on there other than maybe a Canada goose or some other habitat for wildlife. But the language in this bill does exactly what the Corps of Engineers said they were going to do in the Federal Register. That is, the Corps of Engineers said by December 31, we will have in place the ability to implement a new regime for isolated wetlands, and, that is, to get rid of Nationwide 26, so they will be able to have an individual permit for activity on that particular wetland.

This bill makes sure, puts into statute, that they will no longer postpone that implementation. It will happen December 31st. They were going to do it in July and then that slipped. They were going to do it in September, then that slipped. Now they say they might do it this December.

What the amendment of the gentleman from New York (Mr. BOEHLERT) does is to make sure they will do it in December, and I think we ought to know the kind of money they need for the people on the ground to implement that policy so that we can ensure that they have enough money. And I think it will help the community that wants to have activity on wetlands, the development community, that they ought to know what it is going to cost them. This is just good legislation.

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

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

Mr. PACKARD. The gentleman should know, and I hope the Congress knows, that we have put money into this bill to literally implement what the Corps was planning to do.

Mr. GILCHREST. I thank the gentleman for that comment.

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

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

Mr. KIND. Mr. Chairman, I want to just rise today to associate myself with the remarks of my friend from Oregon whom I think is one of the foremost experts in this body in regards to this issue and a whole host of other environmental issues. That is why I rise as a strong supporter of the Visclosky amendment and would encourage my colleagues to support it in final passage.

But I also rise this evening, Mr. Chairman, as one of the cochairs of the bipartisan Upper Mississippi River Task Force that was formed over 3 years ago, a group of Members on both sides of the aisle which is dedicated to get together to bring a little more focus to the importance of the preservation and the protection of one of our national treasures, the Mississippi River. Normally I would be eager to support this bill and I hope I still can if the antienvironmental riders that have been attached are removed, and although there is an agreement to restore some of the funding to the renewable energy program, it is a little disheartening that we could not at least get to level funding as we had last year.

This bill, nevertheless, does contain important provisions for the upper Mississippi River Environmental Management Program, the LaFarge Dam Project, and the Chicago Sanitary and Ship Canal Dispersal Barrier. I just want to take a couple of moments to talk about a couple of these.

In light of the tight budget constraints, I commend the appropriators, especially the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from California (Mr. PACKARD), the committee members and committee staff for their recognition of the importance of the Environmental Management Program and for appropriating $18.95 million to the EMP program which is about level funding, where it was last year, but it is $3 million more than what the Senate appropriations level is right now.

Of special note is the bipartisan support and the leadership that we have had in this Mississippi River Task Force from my other cochairs, the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Iowa (Mr. LEACH).

The EMP is a great cooperative effort at the Federal, State and local level involving the Fish and Wildlife Service, the Geological Service, the U.S. Army Corps of Engineers and the five upper Mississippi River basin States that is dedicated to ensure the coordinated development and enhancement of the

upper Mississippi River system. The EMP is designed to evaluate, restore and enhance riverine and wetland habitat along a 1200-mile stretch of the upper Mississippi and Illinois River. The EMP program manager, Bob Delaney, has highlighted some of the detrimental effects that would occur to the program if we went with the $3 million less appropriated level on the Senate side than what we have here on the House side.

Mr. Chairman, I include Mr. Delaney's letter to me in the RECORD.

DEPARTMENT OF THE INTERIOR,
U.S. GEOLOGICAL SURVEY,
*La Crosse, WI, July 27, 1999.*

Hon. RON KIND,
*House of Representatives, Washington, DC.*

DEAR MR. KIND: I thought it appropriate that I communicate to you impacts to the Upper Mississippi River Environmental Management Program (EMP) which will occur under fiscal year 2000 funding levels currently being considered by the House and Senate.

As you know the EMP funds have never been cost indexed. Yearly inflation and uncontrollables, such as salary increases have reduced program operations and capabilities even under the fully funded level of $19,455 by nearly half since the EMP was initiated in fiscal year 1987. This has prevented the construction of dozens of habitat projects in the five river states (Illinois, Iowa, Minnesota, Missouri, and Wisconsin) involved in the EMP. In addition, it has severely curtailed critical science information needed to assist state and federal river managers in balancing the billion dollar industries associated with navigation, recreation, and wildlife conservation.

The proposed Senate funding level of $16.1 million, $3.555 million below full funding levels, would reduce the Long Term Resource Monitoring component of the EMP by $1.12 million and result in the following impact: (1) It would be necessary to close two of the six state-operated field stations that have been collecting critical data on the river for over ten years. Disrupting the continuity and spatial distribution of data on water quality, fish, and vegetation would seriously compromise the integrity of the resource monitoring program. (2) It may be necessary to terminate the fish monitoring altogether. Given how important this information is to the federal and state agencies that are responsible for managing the fish populations upon which much of the recreational economy of the region depends, this would also be a serious set-back. (3) It may be necessary to eliminate sediment and river mapping functions at the USGS Upper Midwest Environmental Sciences Center in Wisconsin.

The Senate EMP reductions would reduce habitat project construction by $2.43 million and result in the following: Suspend design of a number of habitat restoration projects, including Lake Odessa (Iowa), Batchtown Phases II and III (Illinois), and Calhoun Point (Illinois). In addition, it may be necessary to cancel the scheduled award of construction contracts for projects such as Spring Lake Islands (Wisconsin), Ambrough Slough (Wisconsin), Harpers Slough (Wisconsin/Iowa), Pool Slough (Minnesota/Iowa), Pool 11 Islands (Wisconsin and Iowa), the Batchtown Phase I (Illinois). Each of the Corps of Engineers districts, which implement habitat projects, will experience these types of impacts.

The above funding reduction actions will certainly have crippling effects. The timing could not be worse. The Corps of Engineers, U.S. Geological Survey, and the five river states have just concluded a very difficult process of restructuring the EMP Long Term Resource Monitoring Program to accommodate inflation-driven budget shortfalls that the program will experience even with full funding. Painful decisions have already been made that reduce personnel levels and curtail data collection efforts. The USGS and other partner agencies have made every effort to reduce costs, maximize efficiency, and still maintain the scientific credibility of the program. Further loss of scientific data will reduce the ability to describe and mitigate impacts of the sue of the system for navigation. Additional funding cutbacks will seriously jeopardize the integrity of the program.

The Water Resources Development Act which is currently before Congress reauthorizes the EMP and proposes increased funding levels. Reducing funding for this river management support program at the very time that we are all simultaneously planning for its future seems particularly ill-advised.

Sincerely,

ROBERT L. DELANEY,
*LTRMP Program Manager.*

Mr. Chairman, the EMP is a vital program to the environmental and the economic well-being of the Mississippi River and the entire upper Mississippi River basin. Navigation along the upper Mississippi supports over 400,000 full-time and part-time jobs, which produces about $4 billion in individual income. Recreation use totals 12 million visitors each year in the upper Mississippi region and results in an economic benefit of roughly $1.2 billion. Maintaining a proper balance between economic growth and environmental protection is essential to maintain the health of the river and the wetlands associated with it.

Mr. Chairman, I would also like to mention an issue that has dragged on far too long and needs to be resolved in my district. In 1962, Congress authorized the Corps of Engineers to construct the LaFarge Dam on the Kickapoo River in western Wisconsin. In the process, it condemned more than 140 family farms and began construction of the dam and reservoir. The project, however, was halted in 1975 and it was only half completed.

Also, under the project, certain State and county highways that were slated for relocation have since fallen into disrepair. Several times throughout the history of the project the Wisconsin DOT has been denied the opportunity to maintain these roads by the Corps. This bill provides the funds to correct this wrong. Now the land is slated to revert back to the people of Wisconsin.

Only recently with the passage of WRDA 1996 were additional funds appropriated to finish what the Corps started. This appropriations bill has made provisions to enable the Corps to finish its business so that eventually the land can be returned to the people of Wisconsin.

Finally, Mr. Chairman, another important issue to the Mississippi River contained in the bill is the Chicago Sanitary and Ship Canal Dispersal Barrier funded at $300,000. All this will do is establish an electrical barrier along the Illinois River in order to prevent the migration of nuisance species from Lake Michigan to the Mississippi, such as the round gobi and also carp trying to travel from the Mississippi to Lake Michigan. It is long overdue. I think this barrier is going to add to the protection of the river.

I would encourage my colleagues again to support the Visclosky amendment to make this a better bill which in all other respects I wholeheartedly endorse.

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

Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Subcommittee on Energy and Water Development.

This amendment will strip from the bill the harmful riders that would reduce protection for our valuable wetlands and would make it very difficult for a great number of Members of this Congress to vote for the bill without it. With those riders, it will not work.

In my district just north of the Golden Gate Bridge on the north edge of the San Francisco Bay, we spend a lot of time and a lot of energy reconstructing, restoring wetlands that have been destroyed in our area. A lot of that comes through matching funds from the Federal Government and from the State and from local investment and from private investment, because it is very, very important to my district. In fact, we are going to reconstruct a wetland that is now an old, unused Air Force landing pad, Hamilton Air Force Base. It is going to be the largest restored wetland in the State of California. We would not have to do this if wetlands were not disappearing at nearly 100,000 acres a year in this Nation.

In fact, in my State, California, we have lost nearly 90 percent of our original wetlands. This is extremely alarming. Wetlands provide a home to wildlife habitat, filter pollutants from our streams and lakes, help control floods and give us more recreational areas. These wetlands are a spawning ground for fish and provide homes for more than 138 species of birds and also for every amphibian and reptile in the United States.

The riders in this bill undercut key Clean Water Act protections for wetlands. They would invite increased litigation, they would waste Federal dollars, and block revised wetland permits designed to limit wetland destruction and the flooding of homes and businesses.

The Visclosky amendment would allow the Army Corps of Engineers to revise their permit process, providing more protection for our wetlands. Developers may say, and they do, they will say, and they will say it over and over, that this is a long, drawn-out process that would become much longer. However, the reality of the situation is that 82 percent of permits are

approved within 16 days of submission, and less than half of 1 percent are denied in the end.

The Corps of Engineers has been in the process of developing these replacement permits for more than 2 years. The process involved two public notice and comment periods in which more than 10,000 people and businesses have participated. These comments ran 9 to 1, Mr. Chairman, in favor of stronger wetland protections.

We need to protect our remaining wetlands. The people of this country know it. They know that the wetlands are among our most valuable environmental resources. These antienvironmental riders must be removed before our wetlands disappear entirely.

I ask my colleagues to support the environment by supporting the Visclosky amendment.

□ 1900

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

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

Mr. HINCHEY. I yield to the gentleman from Washington.

(Mr. DICKS asked and was given permission to revise and extend her remarks.)

Mr. DICKS. Mr. Chairman, I rise in support of the Visclosky amendment.

Mr. Chairman I rise in strong support of the Visclosky-Oberstar-Borski amendment to the Energy and Water Appropriations Act. The amendment would remove two provisions from the bill which severely threaten the health of our nation's wetlands and ability of the Corps of Engineers to effectively implement the Clean Water Act.

The first provision severely limits the review process for wetlands decisions by making the review of these initial determinations appealable to Federal courts before a final permit decision has been made. It is my understanding that the Administration is currently creating an administrative appeals process for these determinations, and that this section in the bill cuts off that process.

The second provision would indefinitely delay implementation of a revision to the Corps' ''Nationwide Permit 26'' under Section 404 of the Clean Water Act. The revision was first proposed by the agency last year and is still in the public process being undertaken by the agency. The new nationwide permits are a high priority of the administration. Through this public process, they plan special protections for flood plains and other environmentally sensitive lands. I believe the administration should be allowed to complete the open process and move forward with its revisions to the permitting system, not be cut short by a legislative provision in an appropriations bill.

Our nation's wetlands have already been drastically reduced. We must ensure the protection of these critical areas and not preempt any public processes to be halted because of this legislation. I urge support for the amendment.

Mr. HINCHEY. Mr. Chairman, I wanted to say a word in support of the Visclosky amendment as well because I think it does something that is very important. The administration, this administration, has recognized that the policy that has been pursued by the Army Corps of Engineers over many years which has allowed for the destruction of small wetlands, wetlands under three acres, is a wrongheaded policy in that in the course of that policy we are losing cumulatively hundreds of thousands of acres and have lost cumulatively hundreds of thousands of acres of wetlands over a period of time in the past. The administration wants to move to stop that.

This is a very important thing to do, and we should not discourage the administration in this effort, and unfortunately that is what the anti-environmental riders in this appropriations bill would do. It would make it more difficult to protect small wetlands, wetlands under three acres. It is very important to protect those wetlands for a variety of reasons, not the least of which is the fact that we in this country, as a result of increasing population and increasing activities of various kinds, have placed in jeopardy our surface water supplies, the reservoirs of our Nation, particularly the big cities. We have seen that impact in the Midwest and elsewhere. Consequently the EPA has adopted a program whereby, if cities fail to protect their surface water supplies, their reservoirs, they will have to implement a filtration program. That filtration program is a very expensive one.

Let me give my colleagues the example of the City of New York. In the case of the City of New York, if New York has to build a filtration program which is more likely if we destroy the wetlands upstate, it will cost the city approximately $5 billion to construct that filtration plant and approximately a half a billion dollars a year to operate it. Now that is just the economic side of the equation. Of course, once the filtration plant is built and operating, the quality of the watershed and the water supply system will further deteriorate because the main incentive for protecting it will have been evaporated, will have been lost as a result of the construction of this filtration plant.

So the loss of these wetlands is very critical.

Recently the City of New York did something very foolish, I think, because they approached the Army Corps and dropped a provision whereby they would agree that the city would agree to a plan which would provide for the protection of these small wetlands, these wetlands of less than three acres in the Catskill watershed in upstate New York. The city was prepared to go along with that, but recently the mayor of the city intervened and decided that he would drop that. And so these small wetlands, which are now protecting the quality of the watershed, which is an absolutely precious, invaluable, and I use that word literally, invaluable resource, is in danger now and increasingly in danger because we will be losing these small wetlands.

So, by adopting the anti-environmental rider in this bill we will once again deprive ourselves of the opportunity to protect these small wetlands, protect our water supplies, avoid enormous costs associated with building filtration plants and operating those filtration plants and place our citizenry in increased jeopardy of disease and other ailments as a result of contaminated water supplies.

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

Mr. HINCHEY. Mr. Chairman, I yield to the gentleman from Louisiana.

Mr. BAKER. Mr. Chairman, I just wish to point out the only modification the amendment offered by the gentleman from California (Mr. PACKARD) would make is to allow, at the beginning of the 404 process for these small acreage tracks, a determination to be made whether it is or is not a wetlands; no construction, no damage, no wetlands lost. Only a small property owner can go into the United States Government and say, ''Is this really a wetlands before I spend all my money to get my property back?'' That is all the gentleman's amendment would do.

Mr. HINCHEY. Mr. Chairman, reclaiming my time, I thank the gentleman very much for that. I listened to the gentleman, I am very sympathetic to what the gentleman said about the situation that the story, the anecdote that the gentleman told to us about the situation in Louisiana in his district; I am very sensitive to that, and I appreciate it, and I think that things need to be done about that. We need to protect people from buying property that they intend to build on and then later on they find it is a wetland. We need to take action, at least States particularly ought to take action, against people who sell property alleging that it is buildable, and then later on the purchaser finds out that that is not the case because a wetland is located on it.

Mr. Chairman, I am very sensitive to the problem that my colleague outlines, and I think steps can be taken at the State and local level to deal with those kinds of problems.

I do not think, however, that we ought to be adopting on appropriation measures anti-environmental riders which will make it more difficult for us to protect small wetlands when those small wetlands are so crucial to the health, safety, and welfare of the citizens of this republic.

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

We are switching our attention to a debate on wetlands and the value of wetlands. Let me tell my colleagues I appreciate the value of wetlands.

When President Bush said back in the 1980s that we should have no net loss of wetlands, I stood up and cheered, stood up with many of my colleagues on that side of the aisle. He

was right then, and he is right now. Wetlands are precious. They are natural spawning grounds, they are natural filter systems, they are wonderful. We ought to protect the Nation's wetlands.

What we are trying to do simply is, one, say we are not going to let anybody delay, delay, delay determinations or the implementation of this new plan that the Army Corps of Engineers wants to go forward with, we are not going to say, no, we are going to give some people an excuse to delay it. I think they should go forward with it. So there is no argument there. That is why my amendment passed overwhelmingly; well, it is going to when we have the recorded vote. It makes sense. I am not going to let anybody delay something.

And then secondly, I fail to see why we should be offended by the idea, and I have great respect for my colleague, the gentleman from Oregon (Mr. BLUMENAUER). He serves with me on the Subcommittee on Water Resources and the Environment, which I am privileged to chair, and let me tell my colleagues Mr. BLUMENAUER is one of the most valuable members, one of the hardest-working members, but I do not see what the objection would be to have a modest amount of money for the Corps of Engineers and say, ''Hey, corps, you're overworked and underfunded.'' I will agree, everybody can agree with that. ''Now tell us what more you need to do the job we expect.''

Not everybody here agrees that we should protect these wetlands. I do, and so do a lot of other people on both sides of the aisle. The environment is not a partisan issue. It is not a Republican environment or a Democrat environment. It is a precious, fragile environment, and I want to protect it. But I see nothing wrong with saying to the Corps of Engineers, ''We're going to give you a lot more responsibility. Give us an idea of what more you need to fulfill that responsibility.''

And then I will tell my colleagues my commitment is on the authorizing committee. I am going to do my level best to give them some additional resource to do the job.

And finally, as the gentleman from Louisiana (Mr. BAKER) pointed out a little bit earlier, I see nothing wrong with saying to somebody, ''Let's have sort of an appeal process in place,'' so if the district office says this is something that I do not agree with and I do not like, then one goes to the next level, they have got a process, and if they say something that I do not like, then go to the court, and the court says, well, this is arbitrary and capricious, they cannot get away with it.

Mr. BAKER. Mr. Chairman, will the gentleman yield on that point?

Mr. BOEHLERT. I yield to the gentleman from Louisiana.

Mr. BAKER. Mr. Chairman, I just wish to make the esteemed Member's opinion clear on the underlying text of Mr. Packard's in this bill. If it is adopted without the Visclosky amendment, no damage to wetlands occurs in the gentleman's opinion. It only allows the land owner to come in and say, ''Mr. Corps, is this a wetlands; yes or no,'' before they do anything.

So there is no damage occurring as some have alleged in the debate here tonight.

Mr. BOEHLERT. Mr. Chairman, I exactly agree with the text as perfected, and the perfecting is very important in my heart. Let me tell my colleagues the perfecting is very important because I could sense, as my colleagues know, sort of a little potential problem here. That is why I had the perfecting amendment.

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

Mr. BOEHLERT. I yield to the gentleman from Indiana with whom I work closely and for whom I have great respect.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman's comment and would ask why this issue was not addressed in the Water Resources Act.

Mr. BOEHLERT. Mr. Chairman, let me tell my colleagues we had enough issues that we had to address in the water bill. We are still working. The gentleman from Pennsylvania (Mr. BORSKI) over there, my colleague, is smiling because we are getting very close to resolving that issue in a bipartisan manner, and that is what we should do on this floor.

Look. Let us not look at issues as if we are Republicans or Democrats. Let us look at the issues as if we are Americans concerned about a future legacy for our children and grandchildren.

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

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

Mr. PACKARD. Mr. Chairman, I really want to associate myself with the gentleman's remarks because I too have worked most of my public life to preserve and protect wetlands. I live along the southern California coast surrounded by lagoons and wetlands, and they are very valuable to us, to our quality of life, to our way of life, and to the environment.

I am not anti-environment, I am not anti-wetlands. In fact, my provisions, in my judgment, do not affect the amount of wetlands. Frankly, I dispute that we are losing wetlands. I think the requirements, the mitigation requirements, and the process is requiring that any applicant that has a wetland has to replace it sometimes two, three, four times the amount of acreage than what they have on their property, and, in fact, the State of Pennsylvania has found that they have increased their wetlands since 1989 by the tune of some 4,700 acres.

Mr. BOEHLERT. Reclaiming my time, let me point out that we educated the governor of the State of Pennsylvania in this body, and then we sent him back to Harrisburg to do that.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this debate I think makes the exact point that the ranking member on the committee is trying to make with his amendment, and that is that this ought to be hashed out in the policy committee where all sides can be heard on this as opposed to proposing this amendment, if my colleagues will, in the eleventh hour of this consideration.

I think this committee has done a remarkable job with this legislation given the terrible lack of resources that they have had available to them under the budget constraints to deal with the problems that all the Members have tried to deal with. But clearly in this particular case this language is flawed because it simply comes in in the middle of the process, if my colleagues will, or very near the end of the process, and takes the demands of one constituency to what has been a long-running argument in this country about how we process permits dealing with the protection, the enhancement and conservation of wetlands, and puts the thumb of the committee on one side of the scales of justice here, if my colleagues will, and decides that, in fact, that those who do not think that the Corps is going to respond to them now come to the committee and get it done by edict with no hearing, with no chances for the other side to be heard on this matter.

And that is the reason that the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. BORSKI) are quite right in offering this amendment. Many of my colleagues on both sides of the aisle have already attested to the damage that has been done under the current process and the need to change that process. And the Corps is going through a very deliberative process to make sure that all sides, in fact, have been heard.

And we have listened to the testimony of how many tens of thousands of people have testified in organizations on this amendment, I mean on the process by the Corps to change the nationwide permit program that we have under section 26, and we ought to fully understand that that is a process that then the Committee on Transportation and Infrastructure or the Committee on Appropriations can deal with through hearings.

But that is not this process. This process is to render a verdict on a claim that is made, that somehow this will change, this will change the equities, if my colleagues will, of when people can appeal this process, when they can make that determination.

One of the things we clearly found out was that at three acres at a time we were gobbling up tens of thousands of acres of wetlands in the current process or the old process, if my colleagues will. Small does not necessarily mean that wetlands are not

important, it does not mean that they are not significant. The fact of the matter is that they have to be reviewed and they have to be considered that.

The Corps also found out that a considerable period of time is being dealt with this question based upon acreage that really does not render a proper judgment, and that is why they are moving to this activity-based system of wetlands that will hopefully give people greater confidence and greater certainty in that process.

And that is why we should support this amendment, because to come in now clearly, as my colleagues can already see, whether it is from the Corps or whether it is from FEMA or other parts of the administration, this has the potential to threaten this entire bill because people have not been able to be heard or make their case on this matter.

I have had meetings on this exact point with many members in our community, but I have to tell my colleagues I do not think that many of the people that I have met with would think that this a terribly fair way to resolve that process in this legislation without an ability to offer amendments other than what the committee would agree to here in the case of Mr. BOEHLERT's, which is clearly an improvement of this. But the Visclosky amendment still ought to be voted on by the House, and it ought to be passed by the House so that we can get back to a thoughtful process that the Corps is currently engaged in.

Mr. Chairman, I want to thank the gentleman for offering his amendment.

□ 1915

I want to thank the gentleman for offering his amendment.

Mr. VISCLOSKY. Mr. Chairman, given the exchange of unanimous consents, I ask unanimous consent for 2 additional minutes to close.

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

There was no objection.

Mr. VISCLOSKY. Mr. Chairman, I want to return the body and the Members to the issue at hand, and the issue is the loss of wetlands in the United States of America. This year, we will lose approximately 70,000 to 90,000 acres of wetland. The two provisions in the bill are not going to lead to the entire loss of all of those wetlands, but they are contributing factors; and for every acre we lose, we cannot get it back.

The gentleman indicated earlier that as far as the authorization bill, we had other issues to deal with, and I appreciate the Chairman's comments. We have other issues to deal with in this bill to the tune of about $20 billion, and that is what we ought to be focused on. We ought to remind ourselves that in the last three Congresses, there were 225 on other bills dealing with issues related to wetlands and permitting, similar to that being debated at this point in time, and we have not ourselves, Republicans or Democrats alike, been able to resolve those in the authorization process. This is not the time, this is not the place, this is a mistake and is subject to a veto, and I would ask my colleagues to support the Visclosky-Oberstar-Borski amendment.

Mr. KUCINICH. Mr. Chairman, I rise today in support of the Visclosky-Oberstar-Borski amendment. Mr. Speaker, wetlands protect our families from floods, filter our drinking water, provide recreational areas, and provide critical habitat for fish and wildlife. Yet we have destroyed more than half of our wetlands for development and agriculture and we continue to destroy one hundred thousand acres of wetlands annually, one hundred thousand. In my state of Ohio we have already lost more than 90 percent of our precious wetlands. The Army Corps of Engineers estimates that floods have killed almost 900 people and destroyed $900 billion in homes, businesses, crops, and government structures since 1990.

The anti-environmental rider in this bill will allow developers to drive their tractors through a loophole and dump fill directly into our wetlands. This rider seeks to extend, indefinitely, a scientifically discredited wetlands permit known as Nationwide Permit 26. This same permit has been the largest source of permitted wetlands loss in America, authorizing tens of thousands of wetland-filling development activities each year. We cannot afford this decimation of one of our nation's most treasured resources.

Mr. Chairman, I urge my fellow members to support this amendment to remove this damaging anti-environmental rider and close this loophole. Vote yes for this amendment and allow us to provide fair and effective protection for the nation's critical wetlands.

Ms. PELOSI. Mr. Chairman, I rise in support of the Visclosky amendment to the Energy and Water Appropriations bill (H.R. 2605).

This amendment addresses two provisions in the bill where Committee language would result in threatening the progress being made to protect wetland areas and the wildlife they shelter. The amendment would address two issues by:

—striking the reporting requirement for the Corps

—striking the appeal of wetlands designations prior to completion of the permitting process

Both the Environmental Protection Agency (EPA) and the Department of the Army oppose these provisions in the bill. EPA's letter states:

> Both provisions will significantly impair the Administration's ability to provide fair and effective protection for the nation's critical wetlands resources.

The Army summarizes its opposition by stating:

> The Administration strongly objects to a provision that would short-circuit the review process for wetlands jurisdictional determination by making the review of these initial decisions appealable to the Federal courts prior to a final permit decision. Although the Administration supports the creation of an administrative review process for these determinations, the bill would generate unnecessary and premature litigation, set back efforts to ensure a fair and amicable resolution of potential disputes, and undermine the ability of citizens and communities to participate on an equal footing in the permit process.

These are letters from the people in charge of this process; individuals who are considered experts and intensely involved in balancing the interests of appropriate development environmental protection. The language in the bill destroys the unique balance that is necessary to protect our nation's wetlands and, instead, tilts the scales toward development of these areas. When we have threatened or endangered species, there are laws with the specific purpose of safeguarding our natural identity. The same criteria should be applied to guard against exceptions for wetlands development. These areas are diminishing; we know that. Given that knowledge, our focus should be on taking extraordinary steps to protect extraordinary areas.

I urge my colleagues to support the Visclosky amendment and to keep in place the necessary protections intended to protect and preserve precious wetlands which are retreating at an alarming rate from our natural landscape. Vote yes on the Visclosky amendment.

The CHAIRMAN. If there is no further debate on the Visclosky motion to strike, it will remain in abeyance pending disposition of the Boehlert perfecting amendment, on which proceedings have been postponed.

The Clerk will read.

The Clerk read as follows:

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $150,000,000.

POINT OF ORDER

Mr. BOEHLERT. Mr. Chairman, on behalf of the gentleman from Pennsylvania (Mr. SHUSTER), I raise a point of order against the portion of the Formerly Utilized Sites Remedial Action Program beginning with the last comma on page 7, line 7 through page 9 line 2, on the grounds that it is legislation on an appropriations bill in violation of clause 2 of Rule XXI of the Rules of the House. This program has not been authorized for fiscal year 2000. In fact, it is likely that there has never been an authorization for this program.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. PACKARD. Mr. Chairman, I concede the point of order.

The CHAIRMAN. Does the gentleman from Indiana wish to be heard on the point of order?

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The portion of the paragraph identified by the point of order provides for extended availability of funds without a supporting authorization in law, and includes five legislative provisos.

As such, that portion of the paragraph constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The specified portion of the paragraph is stricken.

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

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

Mr. THUNE. Mr. Chairman, I rise to speak to section 505 of the bill.

Mr. Chairman, this provision would repeal Title VI, division C, of Public Law 105–277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. That provision, known as the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act, would transfer lands along the Missouri River in South Dakota from the U.S. Army Corps of Engineers to the tribes mentioned above as well as the State of South Dakota. The Act also would establish a fund to pay for wildlife habitats.

The Act is a major priority for South Dakota Governor William Janklow. The Governor has requested I submit a letter on this topic for the RECORD. I would like that letter from the Governor inserted at the conclusion of my statement.

The Act also has been the subject of much discussion for South Dakotans, and I have taken great interest in all comments on this issue. While I am aware of the concerns of some of my constituents over issues surrounding this Act, I share in the sentiments of many who support the objectives the Governor attempts to forward in this law. Because of the interest in this issue, I would like to see Section 505 stricken from the bill and hope the Act receives a full review and consideration in a conference committee between the House and Senate on this bill.

Mr. Chairman, I include a letter from the Governor in reference to this matter.

STATE OF SOUTH DAKOTA,
WILLIAM J. JANKLOW, GOVERNOR,
*Pierre, SD, July 27, 1999.*

Hon. JOHN THUNE,
*U.S. House of Representatives,*
*Washington, DC.*

DEAR CONGRESSMAN THUNE: I am writing to reaffirm my adamant support for Title VI, division C, of Public Law 105–277 (Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration). As you know, the House version of the Energy and Water Development Appropriation repeals it. I hope you will do everything you can to remove the repeal language from the bill and appropriate $3 million for the project.

Please explain to your fellow members of Congress that if the new law is allowed to remain a law, it will reduce future federal tax dollar spending, provide more access for people to use the Missouri River for recreation and give both the state and the participating tribal governments the opportunity to receive benefits we didn't receive when four of the five Missouri River dams were built in South Dakota.

As you know, over 600,000 acres of South Dakota's best river bottom and river adjacent land were taken in the 1950s to create the huge reservoirs of water behind the four Missouri River dams in South Dakota. The water held in these reservoirs has already prevented billions of dollars worth of flood damage to Omaha, Kansas City, and many other cities on the Missouri River and Mississippi River.

Unfortunately, South Dakota is the only state in the Union which as never been allowed to do even a modest amount of development along our greatest river resource. That's been or history because the land immediately adjacent to the Missouri River is owned by the federal government and managed by the Corps of Engineers. We were promised developmental benefits, such as irrigation. But, it didn't happen.

Nebraska sacrificed no land for dams and reservoirs, but it has received federally funded irrigation for over six million areas. North Dakota has only one dam and reservoir, but it has over 300,000 acres of federally funded irrigated land. South Dakota is between those two states and has sacrificed excellent land for four dams and four reservoirs. But, our people have received less than 20,000 acres in federally funded irrigation and very few other benefits from our sacrifices to prevent downstream flooding.

Even though the Missouri River in South Dakota has more miles of shoreline than the Pacific Ocean coast of California, there are only seven marinas on the entire length of the Missouri River in South Dakota. To create a marina here, it takes more than five years to get all of the bureaucratic approvals to put in a dock and facility for our people and visitors to enjoy the Missouri River.

The federal government also controls 84 recreational areas adjacent to the Missouri River. Most of these areas have a restroom, a fish cleaning station and a small dock or ramp for boaters. Some of them have campgrounds. Unfortunately, the Corps of Engineers has neglected them. I receive many letters from South Dakotans and visitors who complain to me about the poor conditions of these federal recreation areas. They write to me because they mistakenly believe that the State of South Dakota is responsible for the poor conditions.

Title VI, division C, of Public Law 105–277 (Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration) will solve all of those problems by starting the process of transferring all of those Corps of Engineers recreation areas to either state or tribal control.

Because we are willing to do the work to improve and maintain these recreation areas, the state and the tribes will create tremendous recreational opportunities for all of the people of the upper Midwest and anyone else who visits South Dakota. It will be an environmentally sound project and will do nothing to disturb any of the cultural heritage of our Native Americans.

If the new law is allowed to remain in effect, no longer will we be forced to ask the Corps of Engineers ''Captain, may I?'' No longer will we have to wait for Washington to provide benefits that were promised, but never delivered.

We're not asking for a massive public works project like the old irrigation proposals of the 1950s and 1960s. All we want is the opportunity to take control of these river adjacent lands so that we can improve the recreation areas for all visitors to enjoy.

I have no higher priority than removing this repeal language and implementing this renaissance along the Missouri River. For the first time in our state's 110-year history, we can really have the opportunity to create significant and long-lasting Missouri River benefits for our people and all of the visitors who come to our state.

The amount of money we requested is not a significant portion of the federal budget, but it will provide tremendous opportunities in South Dakota. The $3 million is far less than what the federal government would spend to accomplish the same improvements.

We have an excellent track record concerning federal properties that have been given to the State of South Dakota. When I was Governor fourteen years ago, the federal government announced the closing of many federal fish hatcheries in America. I was the only Governor who didn't object. Instead, I said, ''Please give the federal fish hatchery in South Dakota to South Dakota and we'll do a better job for less money.'' President Ronald Reagan and Secretary of the Interior James Watt said ''Yes'' to my challenge.

Now, fourteen years later, we are producing twice as many fish as the federal employees produced and our budget is still less than 90 percent of the last federal budget fourteen years ago! I know the state and the tribal governments can do the same with the Corps of Engineers recreation areas.

Please ask your colleagues to give us this opportunity to save the taxpayers of America a lot of money and create more recreational fun for America's families.

Please remove the repeal language for Title VI, division C, of Public Law 105–277 (Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration) from the House version of the Energy and Water Development Appropriations bill and appropriate $3 million for the project.

Sincerely,

WILLIAM J. JANKLOW.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Water Resources Support Center, and headquarters support functions at the USACE Finance Center; $148,000,000, to remain available until expended: *Provided,* That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: *Provided further,* That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers; *Provided further,* That none of these funds shall be used to support more than one regional office in each Corps of Engineers division, which office shall serve as divisional headquarters.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Dingell:

Page 9, line 18, strike ''; *Provided further,*'' and all that follows before the period on line 21.

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

Mr. DINGELL. Mr. Chairman, I rise today because of concerns shared by my colleagues on both sides of the aisle in the Great Lake States who value highly the quality of service that we received from the Corps of Engineers of the United States Army.

The legislation before us caught quite a number of Members of the Great Lakes task force by surprise, because it will have the effect of closing the Corps of Engineers' regional office, which is located in Chicago, which oversees planning and technical assistance for the world's largest and most highly populated fresh water watershed.

I am offering an amendment to strike this language today because of concern

not only of Members of Congress, but also of State and local governments along the Great Lakes, and upon the concern of millions of Americans who have rightly depended upon the timely and professional service of the Corps with regard to the use, the development, and also the protection and preservation of that important body of water which means so much to us in the Middle West.

For most of this decade it seems as if we have been struggling with how to restructure the Corps of Engineers. The Great Lakes task force repeatedly opposed general and early plans which, in our view, would have gutted the Corps' ability to serve the Lake States. Finally an agreement was reached in 1996 which established a dual division headquarters in the Great Lakes in the Ohio River division in response to the administration's proposal at the time to close the Great Lakes division. As a result, today the Corps of Engineers has two headquarters in the Midwest, in Chicago and in Cincinnati; and I would note the importance of this in terms of service to the Midwest and protection of the Great Lakes. The movement of many full-time employees from the Great Lakes to the Ohio River office caused a lot of distress amongst the constituencies of our region. However, Great Lakes Members of Congress accepted this split in the spirit of compromise.

My amendment today would remove a provision which moves beyond that compromise, which has generally worked to the satisfaction of the Great Lakes States and their Members of Congress. The result is a high level of uncertainty with regard to both the domestic program coordination and joint implementation of international responsibilities with Canada for the protection and the preservation of the Great Lakes. Issues of concern include the implementation of the boundary waters treaty, Great Lakes waters diversion, lake levels, flood mitigation, technical assistance for our fresh water lakes.

The Chicago office of the Corps, the old north central division, was recognized as a national leader among Corps divisions with regard to the professional development of environmental projects. Already, concern has been expressed by Members of that area and our constituencies about the continued success of those efforts.

Mr. Chairman, I plan to withdraw this amendment after remarks of a few of my colleagues, again in the spirit of trying to make some time between now and conference to have the issues appropriately resolved in partnership with the Corps, the appropriation committees, and the Members of the Great Lakes States.

Mr. Chairman, I yield to my good friend and colleague, the gentleman from California, for whom I have enormous respect, for whatever comments he wishes to make at this time.

Mr. PACKARD. Mr. Chairman, I thank the gentleman for yielding.

I want to assure the gentleman from Michigan that this is a conference item. I fully intend to bring it up at the conference and will work with the gentleman and make every effort to solve the problem.

Mr. DINGELL. Mr. Chairman, I thank the gentleman.

Mr. Chairman, we do have colleagues from the Great Lakes Basin who wish to make some observations on this matter, so I will rise again at a later time for the purpose of withdrawing the amendment.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment which would strike provisions of the energy and water appropriations bill to require closing the Chicago headquarters of the Great Lakes in the Ohio River division of the Army Corps of Engineers. The division has a headquarters in Cincinnati as well as in Chicago. Both offices are important to serving the needs of the region.

This energy and water bill contains no funds for fiscal year 2000 for the Chicago headquarters. The office would have almost no notice before closing at the end of the current fiscal year. There would not be sufficient time for a smooth transition to the Cincinnati office. The result would be confusion and delays and loss of institutional memory for the programs that are currently run out of the Chicago headquarters. Closing the Chicago headquarters would significantly impair our relationships with Canada for the purposes of managing and preserving Great Lakes and other boundary waters. A mission of the Army Corps that is especially significant to the Great Lakes is the support that it provides for the International Joint Commission.

The U.S. and Canada created the IJC to cooperatively manage the lake and river systems along the border to protect them for the benefit of today's citizens and future generations. The Army Corps has responsibilities under the Great Lakes water quality agreement which coordinates with the EPA's Great Lakes national program office and with the Great Lakes regional office of the IJC, both of which are in Chicago. Maintaining the Army Corps' involvement in these binational responsibilities will be especially critical in the coming year as the Great Lakes region prepares to address the issue of water diversion and international water sales. Even short disruption of the agency's regional leadership structure could have serious negative effects on its contribution to this important process.

Last year, Mr. Chairman, a Canadian firm tried to implement a plan for balk sales of Great Lakes water to customers in Asia. The company has stepped back for the time being while our two governments study the issue of water diversions. But we know more attempts will be made to extract and sell our water. In Ohio, we rely on Lake Erie for much of our region's well being. It is important to safeguard the Great Lakes for the future, and the Army Corps office in Chicago we believe has a key role to play.

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

Mr. Chairman, I rise today in support of the Dingell amendment to H.R. 2605. H.R. 2605, as currently drafted, seeks to close the Army Corps of Engineers' regional office located in the City of Chicago.

It was only after a few years ago that we negotiated the continued existence of the Chicago regional office with a plan which was both cost effective and streamlined. I recall those days, Mr. Chairman. Long meetings, meetings where there was a very intense discussion, but we agreed that the Chicago office should be open.

Now, Mr. Chairman, this bill seeks to undo the work that we did accomplish in 1996. The Chicago Corps office is a recognized national leader among the Army Corps of Engineers' division and the professional development in environmental projects. Moreover, surrounding cities and States have long depended upon the services provided by the Corps. Currently because of the Corps, Chicago is in the process of repairing its deteriorating shoreline.

Mr. Chairman, I understand that this amendment will be withdrawn. That said, I nonetheless stand in support of the amendment with the trust that between now and the conference that a partnership will be formed between the Committee on Appropriations, the members of the Great Lakes States, and the Army Corps of Engineers to resolve this important issue.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan (Mr. DINGELL). This amendment would strike language in the bill that would effectively close the Army Corps of Engineers' regional office in Chicago, and I look forward to the intent of this amendment being included in the final piece of legislation.

At this very moment under a landmark agreement between the Army Corps of Engineers and the City of Chicago, the Chicago lake front is being saved from literally crumbling into the water. The city was able to negotiate an agreement with the Army Corps that advanced by 5 years completion of this project. Certainly, the presence of the Army Corps in Chicago helped us do that.

The Great Lakes are unique in the degree to which the Corps is required to work with other Federal agencies. For example, the EPA, which also has its headquarters, its regional headquarters in Chicago, facilitating that kind of cooperation. The north central division has been a national leader in Corps divisions in developing environmental projects.

Certainly, the Great Lakes are the world's greatest source of free-flowing fresh water. We should make providing for the quality of the Great Lakes a priority with every opportunity we are given. Keeping the Army Corps' regional office for the Great Lakes and Ohio River divisions in operation at both the Cincinnati and Chicago locations makes great sense.

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Binational and treaty obligations with Canada would be most seriously impacted by the closure of the Chicago headquarters. The Army Corps of Engineers has responsibilities under the Great Lakes Water Quality Agreement and the Boundary Waters Treaty, which are run chiefly through the Chicago regional headquarters. These functions have been identified by the division as the most critical to maintain in Chicago.

Lacking an international airport hub, Cincinnati is not as easily accessible as Chicago. Travel costs for the Corps' staff and other Federal agency staff and Canadian counterparts would rise dramatically if the same level of cooperation and collaboration were to be maintained.

Maintenance of the integrity of the binational responsibilities of the Corps will be especially critical in the coming year as the Great Lakes region prepares to address the issues of water diversion and consumptive uses. Even short-term disruptions to the Corps' regional leadership structure at this time will have serious consequences on the Corps' ability to effect these important decisions.

I know all of my colleagues understand the importance of representing the needs of their districts. We make decisions that are in the best interests of our constituents by being there and seeing them. I would submit to my colleagues, then, that similarly, in order to make decisions that are best for the Great Lakes, the Army Corps must have an operating regional office in the Great Lakes region, in Chicago.

Let us continue a strong commitment to environmental quality and culture by voting for the Dingell amendment, and allowing the Army Corps to do their job unimpeded in the Great Lakes region.

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

Mr. Chairman, I rise to support the Dingell amendment. In 1996, the administration granted the Great Lakes Basin and the Ohio River Division two regional branches of the Army Corps of Engineers as a result of a compromise in the 1996 Congress. Now there is an effort to close that which we just negotiated to keep open, and without even discussing it or telling representatives of the areas affected about it.

Although this is a unique situation, there is good reason why this dual division system exists. Both branches serve important purposes. However, I do not believe that the office in Cincinnati can adequately serve Chicago's interests.

Currently, the Army Corps of Engineers is working on a variety of projects in the Chicago area, like Chicago's shoreline restoration, the Deep tunnel, Des Plaines River, small flood control projects, and aquatic ecosystems projects. It is vitally important that these projects be managed from a local site.

We recognize the need for financial reform and cost savings, but the current budget achieves this. After only 3 years of fiscally consolidating the services and administrative activities of the Chicago branch of the Corps, we have seen successful consolidation of the Chicago headquarters. The past 3 years has seen the elimination of several positions in the Chicago office and the streamlining of services, all of which have helped to reduce spending at this branch.

The decision to cut the funding and eliminate the Chicago headquarters would be a great blow to the work that has already been done to accommodate for the 1996 reductions. It would also eliminate the existence of a Great Lakes Army Corps of Engineers headquarters in a city situated on a Great Lake.

I trust that we can get together and form the kind of partnership that is necessary to resolve this difficulty. I commend the gentleman from Michigan for introducing this amendment.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. DINGELL. Mr. Chairman, I have heard the comments of my good friend, the gentleman from California. We in the Great Lakes are very much troubled about this situation. It means, I think, serious problems to us in terms of protecting one of the great treasures of the United States, because this constitutes the largest reservoir of fresh water anywhere in the world, and of course, one of the most precious and necessary needs of the United States is going to be for water.

I want to thank my colleagues who have joined me in support of this amendment.

Mr. Chairman, I will at this time, with respect to the chairman of the subcommittee and the ranking member, withdraw the amendment, in the expectation that the matter will be discussed carefully and that they will work with us to achieve the protection of the Great Lakes by the continuation of this important service from the Corps of Engineers.

Mr. Chairman, I rise today because of a concern shared by many of my colleagues—on both sides of the aisle—in the Great Lakes states who value highly the quality of service we have received from the U.S. Army Corps of Engineers.

The legislation before us caught quite a few of the members of the House Great Lakes Task Force by surprise, because it would have the effect of closing the Corps of Engineers' regional office—located in Chicago—which oversees the planning and technical assistance for the world's largest and most highly populated freshwater watershed.

I am offering an amendment to strike this language because of the concern not only to Members of Congress, but also state and local governments along the Great Lakes who have rightly depended upon timely and professional service by the Corps.

For most of this decade, it seems as if we have been struggling with how to restructure the Corps of Engineers. The Great Lakes Task Force repeatedly opposed several of the early plans which, in our view, would have gutted the Corps' ability to serve our states.

Finally, an agreement was reached in 1996 which established a ''dual-division'' headquarters in the Great Lakes and Ohio River Division in response to the Administration's proposal at the time to close the Great Lakes Division. The result is that, today, the Corps of Engineers has two headquarters in the Midwest: in Chicago and in Cincinnati.

The movement of many full-time employees from the Great Lakes to the Ohio River office caused a lot of distress among constituencies in our region; however, Great Lakes Members of Congress accepted this split in the spirit of compromise.

My amendment would remove a provision which moves beyond that compromise. The result is a high level of uncertainty with regard to both domestic program coordination and joint implementation of international responsibilities with Canada. Issues of concern include implementation of the Boundary Waters Treaty, Great Lakes water diversion, lake levels, flood mitigation, and technical assistance for our fresh-water lakes.

The Chicago office of the Corps (the old North Central Division) was recognized as a national leader among Corps' divisions in the professional development of environmental projects. Already, concern has been expressed about the continued success of these efforts.

Mr. Chairman, I plan to withdraw this amendment after remarks by a few of my colleagues again, in the spirit of trying to take some time between now and conference to have these issues resolved in partnership with the Corps, the Appropriations Committee, and Members of Great Lakes States.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. PACKARD. Mr. Chairman, I ask unanimous consent that the remainder of the bill through title II be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through title II, page 15, line 10, is as follows:

ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, and for activities related to the Uintah and Upalco Units authorized by 43 U.S.C. 620, $35,907,000, to remain available until expended, of which $15,476,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into that account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and $10,476,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,283,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian Tribes, and others, $604,910,000, to remain available until expended, of which $2,247,000 shall be available for transfer to the Upper Colorado River Basin Fund and $24,089,000 shall be available for transfer to the Lower Colorado River Basin Development Fund, and of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $12,000,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $43,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000, to remain available until expended: *Provided*, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $47,346,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Interior and other participating Federal agencies in carrying out ecosystem restoration activities pursuant to the California Bay-Delta Environmental Enhancement Act and other activities that are in accord with the CALFED Bay-Delta Program, including projects to improve water use efficiency, water quality, groundwater storage, surface storage, levees, conveyance, and watershed management, consistent with plans to be approved by the Secretary of the Interior, in consultation with such Federal agencies, $75,000,000, to remain available until expended, of which $45,000,000 shall be used for ecosystem restoration activities and $30,000,000 shall be used for such other activities, and of which such amounts as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: *Provided*, That no more than $7,000,000 of the funds appropriated herein may be used for planning and management activities associated with developing the overall CALFED Bay-Delta Program and coordinating its staged implementation: *Provided further*, That funds for ecosystem restoration activities may be obligated only as non-Federal sources provide their share in accordance with the cost-sharing agreement required under section 1101(d) of such Act, and that funds for such other activities may be obligated only as non-Federal sources provide their share in a manner consistent with such cost-sharing agreement: *Provided further*, That such funds may be obligated prior to the completion of a final programmatic environmental impact statement only if: (1) consistent with 40 CFR 1506.1(c); and (2) used for purposes that the Secretary finds are of sufficiently high priority to warrant such an expenditure.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $45,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed six passenger motor vehicles for replacement only.

AMENDMENT OFFERED BY MR. SALMON

Mr. SALMON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SALMON:

Page 15, line 25, after the dollar amount, insert the following: ''(increased by $30,000,000)''.

Page 19, line 19, after the dollar amount, insert the following: ''(reduced by $37,500,000)''.

Mr. SALMON. Mr. Chairman, before I begin, I would like to thank the gentleman from Colorado (Mr. MARK UDALL) for his help with this amendment. He and his staff have been generous with their ideas and time, and their outstanding work is much appreciated by the renewable energy community and myself.

I would also like to thank the gentleman from California (Mr. PACKARD), the chairman of the subcommittee, for his help with this amendment.

Even though the House energy and water budget allocation is $1.5 billion less than the Senate bill, we were still able to come to a good faith agreement to increase the renewable energy budget above Senate levels. The amendment I am proposing today is a responsible effort to restore renewable energy funding to near FY 1999 levels.

We ask that the $30 million be returned to the renewable energy budget. We need this funding to continue the quality research and development that is vital to our national security, international competitiveness, and environmental protection.

We spend more than $100 billion per year to import foreign oil from regions where political instability is tied to fluctuating oil prices. Diversification of our national energy portfolio with renewable energy technologies would lessen the need for costly and potentially prolonged military intervention abroad to defend our access to oil supplies.

Economically, the export market for U.S.-made renewable energy technologies is potentially huge. With 2 billion people around the world still without electric power, we should be doing everything that we can to help American companies compete in this lucrative global market. This amendment will help the United States maintain its lead in the renewable energy race.

Clearly, renewable energy is a clean alternative to conventional fuel. Avoiding pollution through clean, renewable energy technology is almost always cheaper and less intrusive than the alternative of prescriptive government mandates.

Furthermore, renewable energy technologies approach zero emissions for pollutants. The American Lung Association estimates that Americans

spend $50 billion a year each year on health care needs that result directly from air pollution alone. Avoiding pollution through clean, renewable energy is preventative medicine, and it is smart.

Renewable energy programs are strongly supported by the public. A survey of 1,018 registered voters conducted in April of 1998 asked what energy programs should receive the highest priority for Federal research and development funding. Renewable energy and energy efficiency programs were supported by 61 percent of all respondents. Natural gas received the next highest level of support from Americans, with 10 percent support, followed by fossil fuels, 7.5 percent, and nuclear energy, 5.9.

Similarly, House support for renewable energy here is strong. The House Renewable Energy Caucus boasts 153 bipartisan Members. Whether Members are concerned about national security, economic prosperity, or the environment, renewable energy technology is a valuable commodity.

As President George Bush said, we must encourage environmentally responsible development of all U.S. energy resources, including renewable energy. Renewable energy does reduce demand upon our other finite natural resources. It enhances our energy security, and clearly, it protects the environment.

So I would like to, again, express my appreciation to the gentleman from California (Chairman PACKARD) for supporting this measure, and also for his commitment to fight for this number in conference committee. We also proposed an offset of $30 million to be deducted from contractor travel.

As Members know, the GAO has investigated contractor travel spending and found outrageous abuses that must be terminated. Regardless, given the choice between travel dollars and research dollars of this valuable resource, it is clear that we must choose the latter.

I urge my colleagues to support the renewable energy research and development funds.

Mr. Chairman, I include for the RECORD an accounting of the Allocation of Additional Funds for Solar and Renewable Energy Programs.

The material referred to is as follows:

ALLOCATION OF ADDITIONAL FUNDS FOR SOLAR AND RENEWABLE ENERGY PROGRAMS—REP. MARK UDALL AND REP. MATT SALMON

[In millions of dollars]

| Solar and renewable energy programs | Amendment total (amount of increase) |
|---|---|
| Solar Buildings | $2.81 (+1.31) |
| Photovoltaics | $70.13 (+3.13) |
| Concentrating Solar Power | $15.41 (+2.41) |
| Biomass Power | $30.47 (+1.47) |
| Wind | $30.96 (+5.96) |
| Renewable Energy Production Incentive | $2.61 (+2.61) |
| International Solar | $4.95 (+1.95) |
| National Renewable Energy Laboratory | $2.8 (+1.7) |
| Geothermal | $24.31 (+6.31) |
| Hydrogen | $21.76 (+.76) |
| Hydropower | $2.76 (+.76) |
| Superconductivity | $31.91 (+.91) |
| Program Direction | $17.72 (+.72) |

ALLOCATION OF ADDITIONAL FUNDS FOR SOLAR AND RENEWABLE ENERGY PROGRAMS—REP. MARK UDALL AND REP. MATT SALMON—Continued

[In millions of dollars]

| Solar and renewable energy programs | Amendment total (amount of increase) |
|---|---|
| Totals | $309.35 (+30) |

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

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

Mr. PACKARD. Mr. Chairman, I understand that the gentleman from Colorado would like to speak. But I accept the amendment.

Mr. Chairman, first, I would like to say that the Committee strongly supports solar and renewable energy programs. In the bill, we are recommending a total of $326,450,000 for research and development of these technologies. While not as much as some Members would like to spend, it is a generous and credible level of spending given our severe budget constraints.

The Committee had to reduce last year's funding level by close to $900 million. Nevertheless, the Committee has not reduced spending for photovoltaics, biomass, hydrogen, energy storage and the superconductivity programs. The Committee recommendation is equal to the amount provided by the Senate, which had an allocation $1.5 billion higher than the allocation available to this Committee.

The Subcommittee has provided direction and guidance to reform the way funds are spent. As a result, the Department has acknowledged that the amount of competitively-awarded funds from just two years ago has been increased 219 percent from $77 million in fiscal year 1998 to $247 million in fiscal year 1999. This is a dramatic improvement. We have been hearing from new recipients of this funding who are doing exciting new projects in biomass, photovoltaics and other important solar technologies.

Second, I would like to express my understanding and agreement with the effort to reduce contractor travel. The Energy and Water Subcommittee, working in a bipartisan matter, identified and requested a report which tallied jaw-dropping travel expenses charged to the Department by its own contractors. By now, you have heard that in one year alone, DOE was charged $250 million for contractor travel. This does not include taxpayer-funded travel expenses for DOE's Federal workforce. One contractor was charging DOE for trips from New Mexico to Washington, D.C. at a rate of 87 trips per week. The Committee recommendation includes a 50 percent reduction of travel expenses which is a total of $125 million. If it is the will of the House to further reduce contractor travel for one year, then I believe this sends a very strong message to the Department, which has shown too little interest in controlling contractor costs.

That brings me to my interpretation of this amendment. Since no other source of funding is identified, I will support this amendment which further reduces contractor travel and would provide an additional $30 million in funding for energy supply programs. In accepting the amendment, we agree to distribute this additional funding to the solar and renewable programs.

Mr. Chairman, the Committee accepts the amendment and I urge its immediate adoption so that we might move on to the next amendment.

The CHAIRMAN. For the RECORD, the Clerk will read the pending paragraph.

The Clerk read as follows:

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed one passenger motor vehicle for replacement only, $583,399,953, of which $820,953 shall be derived by transfer from the Geothermal Resources Development Fund, and of which $5,000,000 shall be derived by transfer from the United States Enrichment Corporation Fund.

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

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado Mr. Chairman, I rise tonight in support of this amendment.

Mr. Chairman, I want to begin by just saying how much I appreciate working with my colleague, the gentleman from Arizona (Mr. SALMON), chairman of the House Caucus on Renewable Energy, in developing this amendment.

I am also grateful for the support of a number of my colleagues on both sides of the aisle, including the gentlewoman from California (Ms. WOOLSEY), the gentleman from Colorado (Mr. TANCREDO), the gentleman from New York (Mr. BOEHLERT), the gentleman from Utah (Mr. COOK), the gentleman from Maryland (Mr. BARTLETT), the gentleman from Minnesota (Mr. MINGE,) the gentlewoman from Connecticut (Ms. DELAURO), and many others who have joined me in support of this amendment.

Mr. Chairman, I am glad the amendment will be accepted. Of course, I wish we could do more for solar and renewable energy programs. I was initially disturbed by the deep cuts that the committee made to these programs, reducing them from $336 million this fiscal year to $279 million in the fiscal year 2000. Even our Committee on Science voted to fund them at $316 million in fiscal year 2000.

The Salmon-Udall amendment would restore $30 million to solar and renewable energy programs, leaving them well short of fiscal 1999 funding levels, and would offset this sum with Department of Energy contractor travel funds. Finding offsets to fund these important renewable programs was not easy in such a lean bill, but we did the best we could.

Mr. Chairman, renewable energy is all about investing in America's future, the future of our energy security, our environment, and our international competitiveness. Renewable energy programs allow the U.S. to use its scientific and technological expertise in developing alternative energy sources, such as wind, solar, biomass power, and geothermal energy. These diverse energy resources can decrease our ever-growing dependence on imported oil, and reduce environmental impacts of traditional fossil fuels while expanding our economy through technological advances.

Some may question the need for the development of these technologies. After all, we are not waiting in gas lines, as we were two decades ago, and gas prices are near record levels. But our Nation's dependence on foreign oil is even greater than it was during the 1973 crisis.

Why should we jeopardize our national energy security when we can use home-grown clean energy to reduce our reliance on oil imports and diversify our energy sources?

The DOE's renewable energy programs are a major component of this country's environmental initiatives. By reducing air pollution and other environmental impacts from energy production and use, these programs constitute, as my colleague, the gentleman from Arizona (Mr. SALMON) mentioned, the single largest and most effective Federal pollution prevention program.

Past Federal support for sustainable energy programs has been key to the rapid growth of these emerging technologies. Solar, wind, geothermal, and biomass have together more than tripled their contribution to the Nation's energy mix over the past 20 years.

Including hydropower, renewables now account for about 10 percent of total domestic energy production and approximately 13 percent of domestic electricity generation.

It is estimated that the world market for energy supply equipment and construction over the next 30 years is in the range of several hundred billion dollars. America currently leads the world in developing advanced renewable instruments and products, and we should not surrender this lead to foreign competitors. Yet, funding levels in the bill are not up to the task.

For example, this bill would allocate just $67 million for photovoltaic research. This low funding would jeopardize U.S. technological development, industry growth and momentum, at a time when Japan is spending more than $230 million each year on its own PV program.

Renewable energy technologies have become increasingly cost competitive, but the pace of their penetration into the market will be determined largely by government support for future research and development.

□ 1945

We need to support public-private partnerships that help promote further commercialization of these technologies. If we look back into history, we did the same thing 100 years ago at Petrochemicals, and that is why we have that strong industry in the fossil fuel area.

To conclude, Mr. Chairman, the Department of Energy's renewable energy programs are vital to our Nation's interests. They help provide strategies and tools to address the national security, environmental, and technological challenges we will face in the next century. Our investments in the past 2 decades are just beginning to pay off in terms of energy security and a cleaner environment.

Even if we were to just keep these programs at fiscal 1999 levels, this might not be sufficient to ensure that we will have uninterrupted reliable sources of energy in the future. Our amendment does not do all that should be done; but it does greatly improve the bill, and I urge its adoption.

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

ALLOCATION OF ADDITIONAL FUNDS FOR SOLAR AND RENEWABLE ENERGY PROGRAMS

[In millions of dollars]

| Solar & renewable energy programs | Amendment total (amount of increase) |
|---|---|
| Solar Buildings | $2.81 (+1.31) |
| Photovoltaics | 70.13 (+3.13) |
| Concentrating Solar Power | 15.41 (+2.41) |
| Biomass Power | 30.47 (+1.47) |
| Wind | 30.96 (+5.96) |
| Renewable Energy Production Incentive | 2.61 (+2.61) |
| International Solar | 4.95 (+1.95) |
| National Renewable Energy Laboratory | 2.8 (+1.7) |
| Geothermal | 24.31 (+6.31) |
| Hydrogen | 21.76 (+.76) |
| Hydropower | 2.76 (+.76) |
| Superconductivity | 31.91 (+.91) |
| Program Direction | 17.72 (+.72) |
| Totals | 309.35 (+30) |

ENERGY AND WATER AMENDMENT BREAKDOWN—SOLAR AND RENEWABLE ENERGY

| Program | Sub mark FY00 | FY99 actual | Add-ons to $30 M | Totals to $309.35 M |
|---|---|---|---|---|
| Solar Buildings | 1.5 | 3.6 | +1.31 | 2.81 |
| Photovoltaics | 67 | 72.2 | +3.13 | 70.13 |
| Concentrating Solar Power | 13 | 17 | +2.41 | 15.41 |
| Biomass Power | 29 | 31.45 | +1.47 | 30.47 |
| Biofuels | 41.75 | 41.75 | (1) | 41.75 |
| Wind | 25 | 34.771 | +5.96 | 30.96 |
| REPI | 0 | 4 | +2.61 | 2.61 |
| Solar Program Support | 2 | (2) | ..... | 2 |
| Internatl Solar | 3 | 6.35 | +1.95 | 4.95 |
| NREL | 1.1 | 3.9 | +1.7 | 2.8 |
| Geothermal | 18 | 28.5 | +6.31 | 24.31 |
| Hydrogen | 21 | 22.25 | +.76 | 21.76 |
| Hydropower | 2 | 3.25 | +.76 | 2.76 |
| Renewable Indians | 0 | 4.779 | (2) | (2) |
| Elect. Systems Transmission | 2.5 | 2.5 | (1) | $2.5 |
| HTS | 31 | 32.5 | +.91 | 31.91 |
| Storage | 4.5 | 4.5 | (1) | 4.5 |
| Fed Building | 0 | 4 | (2) | (2) |
| Program Dir. | 17 | 18.1 | +.72 | 17.72 |
| Totals | 279.35 | 336 | +30 | 309.35 |

[1] Level.
[2] Not requested.

AGREEMENT

Brings major renewable energy research programs closer to Senate fiscal year 2000 level of $301.8 million.

Offers 8% reduction from fiscal year 1999 totals, bringing total to $309.35 million.

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

Mr. Chairman, I rise in strong support of this Salmon-Udall amendment. This amendment makes a good bill better in that it would increase funding for renewable energy research and development programs. This amendment would also give limited funding to begin implementing the new strategic plan to develop enhanced geothermal production technologies.

The Department of Energy produced this strategic planning in collaboration with national laboratories, the University of Utah, and the geothermal industry. Implementing the strategic plan will develop the technology to enhance the production from geothermal systems.

The technology would be applicable to literally hundreds of sites throughout the United States. The U.S. government currently gets $40 million per year in royalties on its geothermal technology. Renewables are a good investment.

A recent report prepared by the Geothermal Energy Association in conjunction with the University of Utah and the Department of Energy expects this research to yield a threefold increase in domestic geothermal electricity production. This extra power will supply 18 million homes with electricity.

This amendment has good offsets. It is paid for from savings resulting from reductions in contractor travel. This is the responsible way to pay for this program rather than taking the money out of the Social Security Trust Fund.

This amendment is not only fiscally responsible, it is environmentally responsible. It takes the savings from cleaning up the waste and inefficiencies in the contractor travel budget and uses them to fund research in clean, safe energy produced here in America.

The Committee on Science passed my amendment that funds geothermal research in this way, and I urge my colleagues here to do the same and vote for this amendment. This amendment will lead to cleaner air for our children and continue to protect Social Security for our parents.

Accelerating development of our renewable resources is a good investment. We in Congress have a duty to spend the money taxed from the American people responsibly. This amendment does that.

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

Mr. Chairman, I rise in strong support of this amendment for two reasons. First, we as a Nation, will need to come to terms with the rise in the level of atmospheric carbon dioxide at some point, and we might as well start right now. Carbon dioxide is an insidious pollutant because, one while it is odorless and tasteless, it has a nasty habit of trapping heat in the Earth's atmosphere.

Now, there has been a lot of talk about this pollutant, so I thought it might be helpful to look at a chart showing atmospheric concentrations of carbon dioxide over the last 150 years. The information on this chart is one thing virtually all scientists agree on.

Carbon dioxide rates are increasing. They are increasing rapidly. When I first saw it, I was shocked. Because I saw they increased dramatically over the last 100 years and are now beginning to skyrocket towards the end of this century and will continue on that pace upward unless we act. I should repeat, this fact is not in dispute in any country in any scientific journal. That is the bad news.

The good news is that our Nation is perfectly positioned as a net winner, a winner in the call to develop technologies to deal with this problem. The world is going to need new technologies to address this issue. When it comes to developing new technology, no country is more creative, no country is more dynamic and resourceful than the United States.

That is why this graph shows that, when carbon dioxide rates go up, so does our economic potential for capturing new markets, new emerging markets for new energy technologies. But our economic potential will rise only if we make the investments in these new technologies that are possible.

I do not want Europe to lead this new industry. I do not want Japan to lead this new industry. I want America to lead this new industry just like we have led everywhere else.

That is why it is going to be a bright day in Congress when we pass this amendment, when we seize economic potential in the face of a new challenge and pass this amendment, increase investment in new renewable energy resources, and we will turn an environmental challenge into an economic opportunity.

Mr. PACKARD. Mr. Chairman, I accepted this motion with the idea that it would stop all the talk, but now I hope that we can move on. I urge its immediate adoption.

Mr. VISCLOSKY. Mr. Chairman, on behalf of the minority, I would agree with the chairman.

Mr. OLVER. Mr. Chairman, I rise today in support of the Udall-Salmon amendment to restore $30 million to solar and renewable energy programs.

Across the nation this summer, and especially here in the nation's capital, all of us have felt the oppression of numerous ''Code Reds''—days when extremely high temperatures combine with high pollution levels—prompting warnings to the elderly and those with asthma and other respiratory illnesses to stay inside if possible, and to limit outdoor activity. How can we, in good conscience, slash funding for the very programs that will combat pollution and reduce the number of days where thousands of people are forced to either stay inside or jeopardize their health and well-being to go about their daily responsibilities?

Renewable energy has an enormous potential to reduce acid rain, global warming, ozone red alert days and health risks associated with pollution from conventional energy sources. Solar and renewable energy programs further represent an opportunity to strengthen America's position in the expanding world markets for clean energy and aid in reducing our dependence on foreign oil imports. We must drive the research that will lead to the technology to produce clean energy in the developing world.

Try to imagine what our environment would be like if the 5 billion people of underdeveloped and developing nations of Asia, Africa, and Latin America were using as much energy per person as we in the United States use per person. And that they energy were being produced from fossil fuel rather than from the renewable energy sources.

Mr. Chairman, we have a responsibility to the future. This responsibility can only be fulfilled by embracing effective energy efficient and pollution-free technologies. Today's children and their children's children—the generation who will be members of this body 100 years from now—deserve to breathe cleaner air, cleaner water, and enjoy a world free from global warming and environmental decay.

We cannot turn our backs on our children and on the future—vote yes for the environment and the future—vote yes on the amendment.

Mr. MARKEY. Mr. Chairman, I rise in support of the Salmon-Udall amendment.

Our future is literally blowing in the wind. Wind and other renewable energy sources are a great investment in our nation's energy future. Solar, wind, geothermal and biomass energy technologies can: (1) reduce dependence on imported fossil fuels; (2) reduce long-run energy costs to consumers and businesses; (3) create new industries to supply both he U.S. an foreign energy markets; and (4) reduce emissions which create smog acid rain, mercury poisoning, energy markets; and (4) reduce emissions which create smog, acid rain, mercury poisoning, and global climate change. The federal government continues to spend more on fossil fuels, a mature industry that does not need our support, than on renewable energy. We spend almost as much on nuclear energy as on renewables, both for dying fission technologies and for fusion research that is still decades from viability. We need to fund the future, not subsidize the past.

Renewable energy sources are especially important for our environment, as an environmentally benign and sustainable energy alternative to fossil fuels and nuclear power. Today we rely on fossil fuels for 88% of total energy use; oil alone accounts for nearly 40% of our energy, of which 60% is imported crude oil. Our fossil fuel power plants alone spew out 12 millions tons of sulfur dioxide, 7 million tons of nitrogen oxides, and 2 billion tons of carbon dioxide each year. Cars and airplanes emit similar amounts of pollutants. Energy consumption is rising due to economic growth. Even with an aggressive energy conservation effort, we will need new energy sources. We must invest in alternative technologies now if we are to increase the role renewables play in meeting our nation's energy needs and are to avoid further environmental destruction.

Fortunately, renewable technologies have been steadily dropping in price and are on the verge of making a major contribution to our energy supply. Right now, these emerging technologies are limited to niche markets, but ongoing research has cut their costs so that they are almost competitive with fossil fuels, even neglecting the huge environmental costs as fossil fuels:

Wind energy, for example, cost almost 50 cents per kilowatt hour in 1980. Today, the cost of wind energy is around 4 cents, very close to the cost of conventional generation, and is still dropping.

Solar thermal costs have dropped from 60 cents per kilowatt hour in 1980 to 13 cents today.

Solar photovoltaic costs have dropped from over 100 cents per kilowatt hour in 1980 to 20 cents in 1996.

Turning our backs on the R&D program needed to achieve the necessary breakthroughs that will make solar, wind and other renewables fully viable and competitive would be like shepherding a baseball team through eight innings and just walking away in the bottom of the ninth.

The Energy and Water Appropriations bill would slash DOE funding for renewables from the current funding level of $36 million down to $326 million. The Appropriations Committee cut $120 million, 27%, from the President's budget. Unless we boost the funding, we will devastate DOE programs aimed at creating vibrant, fully competitive U.S. renewable industries.

The bill's proposed cuts in renewables funding would severely delay adoption of solar, geotherman, and wind energy technologies. Most economists agree there is at east a 10-year window between the time a technology is first ready for the market and the time the market is ready for the technology. But sometimes, that window is even wider. For example, the telephone was discovered in 1875, but not commercialized until 1915. Television was discovered in 1917, but not commercialized until 1946. Telefax was discovered in 1913, but fax machines weren't commercialized until 1974. Right now, the fledgling renewables technologies industries find themselves in the same position. If we fail to fund renewable energy R&D, the invention-commercialization window could become a multi-decade ''window of vulnerability'' for U.S. energy consumers.

The Salmon-Udall amendment would restore some funding for renewables. The amendment is fully offset from contractor travel, so it does not take this bill over the budget allocation. It will however, allow DOE to continue providing vitally-needed funding for solar, wind, geothermal, and biomass energy sources, so that America is not held hostage to future oil embargoes or a lack of technological options.

I urge my colleague to support the Salmon-Udall amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. SALMON).

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et

seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $327,223,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $240,198,000, to be derived from the Fund, to remain available until expended: *Provided*, That $30,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed six passenger motor vehicles for replacement only, $2,718,647,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $169,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund: *Provided*, That none of the funds provided therein shall be distributed to the State of Nevada or affected units of local government (as defined by Public Law 97–425) by direct payment, grant, or other means, for financial assistance under section 116 of the Nuclear Waste Policy Act of 1982, as amended: *Provided further*, That the foregoing proviso shall not apply to payments in lieu of taxes under section 116(c)(3)(A) of the Nuclear Waste Policy Act of 1982, as amended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $193,769,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $106,887,000 in fiscal year 2000 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at not more than $86,882,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $30,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed three for replacement only, $4,000,000,000, to remain available until expended: *Provided*, That, of this amount, $1,000,000,000 shall not be available for obligation or expenditure until after June 30, 2000, and until legislation has been enacted restructuring the national security programs of the Department of Energy or establishing an independent agency for national security programs.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 35 passenger motor vehicles for replacement only, $4,157,758,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,054,492,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $228,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,651,809,000, to remain available until expended: *Provided*, That not to exceed $5,000 may be used for official reception and representation expenses for national security and nonproliferation activities.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $112,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Northeast Oregon Hatchery Master Plan, and for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2000, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $27,940,000, to remain available until expended, of which $773,000 shall be derived by transfer from unobligated balances in ''Operation and Maintenance, Southeastern Power Administration''; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,200,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $171,471,000, to remain available until expended, of which $160,286,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That of the amount herein appropriated, $5,036,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $1,309,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $174,950,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $174,950,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2000 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at not more than $0.

GENERAL PROVISIONS

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such

contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. (a) None of the funds appropriated by this Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 303. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy;

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 304. None of the funds appropriated by this Act may be used to augment the $20,000,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 305. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 306. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 307. Notwithstanding 41 U.S.C. 254c(a), the Secretary of Energy may use funds appropriated by this Act to enter into or continue multi-year contracts for the acquisition of property or services under the head, ''Energy Supply'' without obligating the estimated costs associated with any necessary cancellation or termination of the contract. The Secretary of Energy may pay costs of termination or cancellation from—

(1) appropriations originally available for the performance of the contract concerned;

(2) appropriations currently available for procurement of the type of property or services concerned, and not otherwise obligated; or

(3) funds appropriated for those payments.

Sec. 308. None of the funds in this Act may be used for Laboratory Directed Research and Development or Director's Discretionary Research and Development.

Sec. 309. Of the funds appropriated by this title to the Department of Energy, not more than $125,000,000 shall be available for reimbursement of contractor travel expenses.

Sec. 310. (a) None of the funds in this Act or any future Energy and Water Development Appropriations Act may be expended under a covered contract unless the funds are expended in accordance with a Laboratory Funding Plan that has been approved by the Secretary of Energy. The Plan shall be submitted on a quarterly basis, or at such intervals as may be prescribed by the Secretary. The Secretary's approval of the Plan may include adjusting or deleting particular items or categories of items proposed in the Plan.

(b) For purposes of this section, ''covered contract'' means a contract for the management and operation of the Los Alamos National Laboratory, Lawrence Livermore National Laboratory, or Sandia National Laboratories.

Sec. 311. As part of the Department of Energy's approval of laboratory funding for Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratories, the Secretary shall review and approve the incentive structure for contractor fees, the amounts of award fees to be made available for the next year, the salaries of first and second tier laboratory management, and the overhead costs.

Sec. 312. None of the funds provided in this Act may be used to establish or maintain independent centers at a Department of Energy laboratory or facility unless such funds have been specifically identified in the budget submission.

Sec. 313. None of the funds provided in this Act may be used to waive overhead or added factor charges for work performed for other Federal agencies or for other Department of Energy programs.

Sec. 314. Sec. 505 of Public Law 102–377, the Fiscal Year 1993 Energy and Water Development Appropriations Act, and section 208 of Public Law 99–349, the Urgent Supplemental Appropriations Act, 1986, are repealed.

SEC. 315. None of the funds made available in this or any other Act may be used to restart the High Flux Beam Reactor.

SEC. 316. None of the funds provided in this or any other Act may be used by the Federal power marketing administrations for construction, expansion or upgrades of fiber optic telecommunication lines, associated facilities or purchase of equipment directly related to such efforts, except for fiber optic cable that is necessary for the foreseeable future for internal management of programs of the Federal power marketing administrations. Federal power marketing administrations shall apply any reduction in spending resulting from the restrictions in the section to the reduction of debt of the Federal power marketing administration.

SEC. 317. None of the funds provided in this or any other Act may be used by the Federal power marketing administrations to:

(1) rent or sell construction equipment;

(2) provide construction, equipment, operation, maintenance or repair services;

(3) perform contract construction work;

(4) provide a construction engineering service; or

(5) provide financing or leasing services for construction, maintenance, operational or engineering services to any private utility, wholesale or retail customer (other than those existing retail customers served by the Federal power marketing administration prior to the date of enactment of this provision), publicly-owned utility, Federal agency, or state or local government entity. The Federal power marketing administrations may provide equipment or a service to a private contractor that is engaged in electrical work on an electrical utility project of the Federal power marketing administration. As used in this section, the term ''used construction equipment'' means construction equipment that has been in service for more than 2,500 hours. Any Federal power marketing administration may dispose of used construction equipment by means of a public auction conducted by a private entity that is independent of the Federal power marketing administration. Federal power marketing administrations shall apply all proceeds of a disposition of used construction equipment to the reduction of debt of the Federal power marketing administration.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $60,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $16,500,000, to remain available until expended.

DENALI COMMISSION

(RESCISSION)

Of the funds made available under this heading in Public Law 105–245, $18,000,000 is rescinded.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), $455,400,000, to remain available until expended: *Provided*, That of the amount appropriated herein, $19,150,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $432,400,000 in fiscal year 2000 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That $3,850,000 of the funds herein appropriated for regulatory reviews and other assistance provided to the Department of Energy and other Federal agencies shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at not more than $23,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,000,000, to remain available until expended: *Provided*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at not more than $0.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,600,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

Mr. PACKARD (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through title IV be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V—GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 504. Section 6101(a)(3) of the Omnibus Budget Reconciliation Act of 1990, as amended, (42 U.S.C. 2214(a)(3)) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2000''.

SEC. 505. Title VI, division C, of Public Law 105–277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999, is repealed.

SEC. 506. Title III, division C, of Public Law 105–277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999 and section 105 of Public Law 106–31, the 1999 Emergency Supplemental Appropriations Act, are repealed.

SEC. 507. Section 211(e)(2)(A) of the Water Resources Development Act of 1996 (Public Law 104–303, 110 Stat. 3682) is amended by striking ''in advance in appropriations Acts''.

SEC. 508. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

Page 37, after line 16, insert the following new section:

SEC. 509. Of the amount provided in this Act for ''Atomic Energy Defense Activities—Weapons Activities'', $50,000,000 shall be used for the removal of residual radioactive material from the Atlas site approximately 3 miles northwest of Moab, Utah, and from the floodplain of the Colorado River for permanent disposition and stabilization of such residual radioactive material in a safe and environmentally sound manner.

Mr. PACKARD. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California reserves a point of order.

Mr. FILNER. Mr. Chairman, this amendment that I offer today is really life and death protection for the 25 million people who get their water from the Colorado River. This is an emergency, Mr. Chairman. We have heard about emergencies in appropriations bills. People are drinking poisoned water.

The water is poisoned by radioactive wastes leaching from an abandoned mine waste pile that is located only 750 feet from the Colorado River. This deadly waste pile, abandoned by the Atlas Corporation, sits in the Moab Valley of southeastern Utah. The Colorado River, flowing south past the site, provides water for 7 percent, Mr. Chairman, 7 percent of the United States population, including Las Vegas, Phoenix, the entire Los Angeles area and the city I represent, San Diego.

My amendment would provide the Department of Energy $50 million, perhaps a third of the money needed, to begin moving the contaminated pile away from the Colorado River. Moving this pile is the most reliable way to save the growing population of California, Arizona, and Nevada from having the highly contaminated waste leak into the water supply for the next 270 years, almost 3 centuries, Mr. Chairman, during which time, many people would likely die from various diseases and maladies caused by drinking water laced with radioactivity and chemical contaminants from the uranium pile.

The money is appropriated by my amendment to begin the first phases of moving the pile, and it is offset by cutting a program that already has $4 billion in the budget; $4 billion offset by a simple $50 million. This is money that will save American lives.

The Department of Energy must step in to save innocent people because the NRC, the Nuclear Regulatory Commission, which has jurisdiction over moving the site, has proven it is simply not up to the task. The NRC's own report states that Atlas' plan to cap the radioactive pile is environmentally acceptable, and I quote their expression, ''environmentally acceptable,'' Mr. Chairman. Is it environmentally acceptable to cover 10.5 million tons of uranium mill waste with rock and sand where the river can reach it during floods in spring and cause a health crisis. With the pile only 10 to 20 feet above the underground aquifer, highly concentrated ammonia will continue to seep into the groundwater.

By contrast, when the Department of Energy has been involved with all of the other contaminated sites along the Colorado River, it moved, not just capped, sites with uranium concentration levels of less than 2 milligrams per liter. I say this is an emergency because the uranium concentration levels at Moab receive 26 milligrams per liter, 13 times what has already been considered a problem.

Mr. Chairman, I heard the earlier colloquy between the gentleman from California (Chairman PACKARD) and the gentleman from Utah (Mr. CANNON) calling for a study of this situation. We are passed the time for a study. We know what must be done. We must move jurisdiction of the pile to the Department of Energy and move this pile. It is a matter of life and death.

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

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

Mr. PACKARD. Mr. Chairman, I certainly appreciate the gentleman's comments and understand the problem. I certainly look forward to working with him as we proceed forward with the appropriations process.

But I would, however, respectfully ask the gentleman from California (Mr.

FILNER) to withdraw the amendment. Otherwise, I will still have to pursue the point of order.

Mr. FILNER. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I want to thank the gentleman very much for offering this amendment. I would hope that the point of order would not lie. This is becoming an increasingly important and dangerous situation. We have been working on this now for the last several years. Clearly, a number of the solutions that have been proposed are simply inadequate for the protection of the drinking water supply from those who take their water from the Colorado River.

I think the gentleman is quite correct. This is now getting to an emergency state of affairs here where we have so many people depending upon this water and we have what clearly is a continuation of the leaching of this radioactive material.

The simple capping of this in place and failure to remove it is not going to work. I think the gentleman's amendment is quite on point.

Mr. FILNER. Mr. Chairman, I yield to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, I also rise in strong support of this very important amendment offered by the gentleman from California (Mr. FILNER). This amendment provides critical funding to immediately begin moving the radioactive material called the uranium tailings pile from the banks of the Colorado River to an environmentally safe location.

The CHAIRMAN. The time of the gentleman from California (Mr. FILNER) has expired.

(By unanimous consent, Mr. FILNER was allowed to proceed for 1½ additional minutes.)

Mr. FILNER. Mr. Chairman, I yield to the gentlewoman from California (Mrs. NAPOLITANO).

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Mrs. NAPOLITANO. Mr. Chairman, the Moab site is the fifth largest uranium tailings pile in the country and by far the largest situated near a river. The pile is unlined, in a floodplain, and just 750 feet from the water's edge, currently leaking contaminants into the Colorado River.

The water affects 25 million people and at least four States. It is truly an environmental crisis and we must act now to protect the safety and well-being of our citizens.

Mr. Chairman, I urge support of this very important amendment.

Mr. FILNER. Mr. Chairman, reclaiming my time, I would simply say that notwithstanding the emergency nature of this situation, and notwithstanding the life and death matters of which we are involved, I understand the chairman will insist on his point of order. I am sorry that these technicalities will be insisted upon, but I acknowledge that the point of order will be sustained.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. PACKARD. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am going to offer my support for this legislation and be very brief.

I want to thank the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for his leadership. This is, in particular, about Texas, and I wish to thank the chairman, the gentleman from California (Mr. PACKARD), for his ongoing funding of projects that the Army Corps of Engineers is working on; Sims Bayou, an area that flooded enormously over the years, which we are keeping on schedule. We want to thank the committee for its continued commitment on that issue.

And likewise, though we are competitive with many of our fellow colleagues, I wish to thank the chairman for his work on and the funding of the Houston Port, because that is an enormous economic arm for the community that I come from and we appreciate very much the fact that that is being kept on track.

Lastly, let me say to the chairman, and I know there are many other smaller projects that we will benefit from in the State of Texas, and in particular the 18th Congressional District, but I also want to note, as I have heard my colleagues speak about being environmentally safe and secure, we realize how much energy and water resources deal with the environment and we appreciate the committee's sensitivity.

I want to say to my constituents in the 18th Congressional District, in the Houston area, that I will continue to work with them, and that the projects that we are funding will be environmentally sound and that I will continue to work with the committee on these issues.

I rise in support of H.R. 2605, the energy and water development appropriations for fiscal year 2000. I support this bill mainly because it provides a total of $5.0 billion in fiscal year 2000 for planning, construction, operation and maintenance, and other activities relating to water projects administered by the Army Corps of Engineers and the Interior Department's Bureau of Reclamation. This bill increases funding for the Army Corps of Engineers by $283 million, 7 percent above the administration's request.

Mr. Chairman, the Sims Bayou Project is a project that stretches through my district. Over the course of recent years, the Sims Bayou has seen massive amounts of flooding. Citizens in my Congressional District have been flooded out of their homes and businesses, and as a result their lives have been continually disrupted.

In 1994, some 759 homes were flooded as a result of the overflow from the Sims Bayou. Mr. Chairman that is 759 families that were forced from their homes and livelihoods. This bill continues the important work of ensuring the continued vitality of the Houston community.

I mainly support this bill because the Appropriations Subcommittee on Energy and Water Development has included $18.3 million for construction and improvement of the Sims Bayou. These funds are needed to continue this vital project and as a result protect the community from further loss of property.

The project is located in south central Houston and Harris County. The Sims Bayou Flood Control Project provides flood damage reduction and consists of 19.3 miles of channel improvement and erosion control measures with environmental quality measures, riparian habitat improvements, and authorized recreational features.

I would like to express my gratitude to the Army Corps of Engineers for their cooperation in bringing some relief to the people of the 18th Congressional district. Their continued efforts continue to avoid and avert the dangers posed by uncontrolled flooding in the Houston community.

In addition to the Sims Bayou project, the Subcommittee on Energy and Water Development also provided funding for several other locations in Houston. These projects include the Buffalo Bayou project and the Hunting Bayou project. Funding was also provided for the Houston-Galveston Navigation Channels.

I am quite certain Mr. Chairman that these projects would not have been able to go forward if this additional money had not been appropriated by the Subcommittee on Energy and Water Development. For that I have to thank Chairman PACKARD, Ranking Member VISCLOSKY, and my friend and colleague CHET EDWARDS who sit on the Appropriations Committee.

I will continue to work with the Army Corps of Engineers and the local Houston officials to ensure that these projects are successfully completed. We need to ensure that these communities are fully protected from the ravages of flooding.

I urge my colleagues to vote yes on H.R. 2605, the Energy and Water Appropriations Act, for Fiscal Year 2000.

Mr. PACKARD. Mr. Chairman, reclaiming my time, I wish to advise the Membership that I am ready to wrap up, and I presume my colleague on the other side of the aisle is ready as well.

I want to say what a pleasure it has been to work with the entire subcommittee, particularly the gentleman from Indiana (Mr. VISCLOSKY), and his staff on his side of the aisle. I certainly want to compliment the staff on our side, who have been working tirelessly on this. They have done a remarkably good job and I really cannot say enough about them.

In wrapping this whole thing up, I simply want to make two things clear: The Boehlert amendment improves the text of the bill. It is not an amendment to the Visclosky amendment. The Visclosky amendment actually would

undo the Boehlert amendment. I want all colleagues to understand that clearly.

Therefore, Mr. Chairman, I urge a ''yes'' vote on the Boehlert amendment, a ''no'' vote on the Visclosky amendment, and a ''yes'' vote on final passage.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2000''.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 261, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: The perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT), and amendment No. 3 offered by the gentleman from Indiana (Mr. VISCLOSKY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

PERFECTING AMENDMENT OFFERED BY MR. BOEHLERT

The CHAIRMAN. The pending business is the demand for a recorded vote on the perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the perfecting amendment.

The Clerk designated the perfecting amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 426, noes 1, not voting 6, as follows:

[Roll No. 340]

AYES—426

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
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
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
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
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, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
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
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
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
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—1

Dingell

NOT VOTING—6

Johnson (CT)
Martinez
McDermott
Northup
Oberstar
Peterson (PA)

□ 2022

Mr. Sandlin changed his vote from ''no'' to ''aye.''

So the perfecting amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NORTHUP. Mr. Chairman, on rollcall No. 340 I was inadvertently detained. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 3 OFFERED BY MR. VISCLOSKY

The CHAIRMAN. The pending business is the motion to strike offered by the gentleman from Indiana (Mr. VISCLOSKY) which was placed in abeyance by the previous perfecting amendment.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY).

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

RECORDED VOTE

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 245, not voting 5, as follows:

[Roll No. 341]

AYES—183

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lazio
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey

Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—245

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pastor
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Martinez
McDermott
Oberstar
Peterson (PA)
Roybal-Allard

□ 2030

Mr. LAZIO changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. HANSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 261, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 8, not voting 6, as follows:

[Roll No. 342]

YEAS—420

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
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
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
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
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
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
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
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)

| | | |
|---|---|---|
| Snyder | Thomas | Wamp |
| Souder | Thompson (CA) | Waters |
| Spence | Thompson (MS) | Watkins |
| Spratt | Thornberry | Watt (NC) |
| Stabenow | Thune | Watts (OK) |
| Stark | Thurman | Waxman |
| Stearns | Tiahrt | Weiner |
| Stenholm | Tierney | Weldon (FL) |
| Strickland | Toomey | Weldon (PA) |
| Stump | Towns | Weller |
| Stupak | Traficant | Wexler |
| Sununu | Turner | Weygand |
| Sweeney | Udall (CO) | Whitfield |
| Talent | Udall (NM) | Wicker |
| Tancredo | Upton | Wise |
| Tanner | Velazquez | Wolf |
| Tauscher | Vento | Woolsey |
| Tauzin | Visclosky | Wu |
| Taylor (MS) | Vitter | Wynn |
| Taylor (NC) | Walden | Young (AK) |
| Terry | Walsh | Young (FL) |

NAYS—8

| | | |
|---|---|---|
| Chenoweth | Paul | Smith (WA) |
| DeFazio | Royce | Wilson |
| Gibbons | Sanford | |

NOT VOTING—6

| | | |
|---|---|---|
| Clement | McDermott | Peterson (PA) |
| Martinez | Oberstar | Phelps |

□ 2048

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

## DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 260 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2587.

□ 2050

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

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

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

Mr. Chairman, we are here tonight, of course, for general consideration of the appropriations bill for the District of Columbia. This is a bill that is some $200 million below the amount appropriated out of Federal funds last year, the overall amount in the bill because it includes, Mr. Chairman, the District-raised funds as well, as some $6.8 billion. The Federal share of that is $453 million.

Mr. Chairman, this measure is the latest stage in the efforts to assist the District of Columbia in revitalizing from the situations in which it found itself, of course, a number of years ago. There are still many residual problems that linger within the District, but yet I think it is important that we keep our eye on the positive and put some accent upon some things that are heading in the right direction.

I appreciate the efforts of the ranking member on the subcommittee, the gentleman from Virginia (Mr. MORAN), I am grateful for the efforts of our appropriation chairman, the gentleman from Florida (Mr. YOUNG) who himself served for a number of years on this subcommittee, and of course we have worked closely with the gentlewoman from the District of Columbia (Ms. NORTON).

We have also developed, I hope, a good working relationship with the new mayor who was elected last November, Tony Williams, and with the council of the District. I have worked especially close with the chair of the council, Linda Cropp, and I am grateful for their efforts in cooperation, and I think it is a sign of the positive note on which we have been proceeding that the consensus budget that was developed and approved by the mayor, by the city council, and by the Control Board of D.C. is intact within this bill.

We worked with them. We understand that they are undertaking significant efforts to rightsize the government within the city, to improve the government services, to improve the police and the fire protection, to upgrade the quality of public schools, and public school facilities. There is a significant effort that the District launched in the last couple of years for charter schools which are a part of the public school system which this bill also helps to further.

When the relationship between the Federal Government and the District was redefined to help it get on its financial feet and to reorganize things a couple of years ago, the Federal Government, rather than making these same type of lump sum appropriations have in common until that time began making specific appropriations to assume responsibility for the conduct of the court system, the corrections system and the system to supervise offenders, those upon probation, parole and awaiting trial. Those are the main amounts of the Federal portion of the $453 million that is the direct Federal appropriation within this bill.

Within that there are some very significant things that we have attempted to do within this bill.

First, we have recognized that D.C. has balanced its budget. A couple more years of balanced budget, and it will be removed from the Control Board provision that was put in place by Congress a couple of years ago.

We have also recognized that even when we have great efforts at economic stimulus and development in D.C. to try to stem the out migration that began a number of years ago, it does not do any good to have a better developed city if we do not have a safe city.

We have put a lot of time and effort in this particular appropriation to creating a program that is going to be the most striking of its type within the country when it comes to making sure that persons who are on some sort of early release or pre-release program or parole or probation program are remaining drug-free, because such a major portion of the crime in D.C. remains linked to the use of illegal drugs.

There are 30,000 people, Mr. Speaker, who are on probation or parole within the District of Columbia who are required as a condition of that to remain drug-free. They are not doing it. That is a major reason why they are a source of so much of the crime within the city. Some estimates are that many people in this offender population are committing hundreds of crimes each year to sustain their drug habit and because of their drug habit.

We have in addition to the other drug treatment and drug testing programs, a new $25 million initiative that will universally test these persons, some of them every week, all of them within every 2 weeks, and some of them twice a week to make sure that they are abiding by the terms imposed by the courts to stay drug-free, else they will not stay free on the streets.

At the same time there is a significant upgrade in the drug treatment programs because we realize that some people cannot get off of drugs on their own. By doing this with the offender population, we will also free up several million dollars in city funds that were being used to treat persons that were in the offender population that will now be available for other citizens that are in dire need of drug treatment to help the Nation's capital overcome the drug problem and the terrible consequences that it is faced with it.

That is a major effort, the most significant effort undertaken anyplace in the country on universal drug testing for those that are on a probation or a parole status.

We also have several major education initiatives. This House previously passed what we refer to as the D.C. scholarship bill. That D.C. scholarship bill is recognizing the fact that D.C. does not have a state university system, it is not part of the State. Every other State in the country, of course, has that and also has a program to enable students who do not go to one of the State universities to be assisted in their college education.

The House has voted, the Senate is considering, the program to establish that for the District of Columbia. We have within the bill the $17 million to create this ability to give a stepping stone into higher education for persons that have graduated from high school here in the District of Columbia.

We also do several things with the charter school movement, making their status a permanent status rather than a temporary provisional one and opening some doors to some financing for facilities for those charter schools within D.C.

We also recognize there is a problem with some 3,300 or so foster children that are in the custody of the trustee for foster care within the District of Columbia. These are young people that are often trapped in long-term foster care, not with their natural parents, not with family members, but often shuttled around between different foster care families. They need permanent, stable, loving homes. We have an $8½ million initiative to help with the placement and the incentives for that so that we can overcome again one of the accumulated problems with which D.C. still has to deal.

We also have a significant environmental effort regarding the Anacostia River. One of our members of the subcommittee, the gentleman from California (Mr. CUNNINGHAM) was very crucial in developing that program, a $5 million river clean-up program for the contaminants within the Anacostia River.

We have in addition to that some efforts to assist the mayor and the city council in rightsizing the city government. When the Control Board was headed by Tony Williams, who now, of course, is the mayor of D.C., he was the CFO and was very much involved, of course, in getting rid of the overcrowding, shall we say, within some of the city government offices rightsizing the city government.

□ 2100

We have a $20 million incentive for buyouts and early retirements to help them reduce another 1,000 persons from the city payroll.

At the same time, we have some transportation significant items here relating especially to the 14th Street Bridge over the Potomac River connecting with Virginia, already overburdened with traffic and soon to be further overburdened due to some construction on the other significant river crossing down at the Wilson Bridge.

Mr. Chairman, it is also important to note that this bill ratifies the action of the Mayor and the city council, their bold economic development efforts recognizing that there was a severe problem of being overtaxed within the District. They have passed bold legislation to reduce income taxes and to reduce property taxes within the District of Columbia.

We ratify that action in this piece of legislation. I say that because it is important to always remember that under the Constitution, Article I, Section 8, the Congress, although it is delegated to D.C. with the home rule charter, nevertheless has the constitutional duty and responsibility and exclusive authority, as the Constitution states, over all legislative matters within the District of Columbia.

Mr. Chairman, this has been a consensus effort. I am very appreciative of the efforts of the ranking member, the gentlewoman from the District of Columbia (Ms. NORTON), the members of the city government, and so many other people that have participated in trying to bring a bill that accents the positive things that are going on in D.C. Yes, we know there are accumulated problems in crime, in education, in many things within the city. But, the officials that have taken responsibility for city government in recent months have made a very concerted, very praiseworthy effort to attack these problems, and we want to thank them for doing that, and we want to work cooperatively with them in doing so.

## DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 (H.R. 2587)
## (Amounts in thousands)

| | FY 1999 Enacted | FY 2000 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| FEDERAL FUNDS | | | | | |
| District of Columbia Resident Tuition Support | | | 17,000 | +17,000 | +17,000 |
| Incentives for Adoption of Foster Children | | | 8,500 | +8,500 | +8,500 |
| Citizens Complaint Review Board | | | 1,200 | +1,200 | +1,200 |
| Federal Payment for Human Services | | | 250 | +250 | +250 |
| Metrorail improvements and expansion | 25,000 | | | -25,000 | |
| Federal payment for management reform | 25,000 | | | -25,000 | |
| Federal payment for Boys Town U.S.A | 7,100 | | | -7,100 | |
| Nation's Capital Infrastructure Fund | 18,778 | | | -18,778 | |
| Environmental Study and Related Activities at Lorton Correctional Complex | 7,000 | | | -7,000 | |
| Federal payment to the District of Columbia corrections trustee operations | 184,800 | 176,000 | 183,000 | -1,800 | +7,000 |
| Federal payment to the District of Columbia Courts | 128,000 | 137,440 | 100,714 | -27,286 | -36,726 |
| Defender Services in D.C. Courts | | | 33,336 | +33,336 | +33,336 |
| Federal payment to the Court Services and Offender Supervision Agency of the District of Columbia | 59,400 | 80,300 | 105,500 | +46,100 | +25,200 |
| Federal payment for Metropolitan Police Department | 1,200 | | | -1,200 | |
| Federal payment for Fire Department | 3,240 | | | -3,240 | |
| Federal payment for Georgetown Waterfront | 1,000 | | | -1,000 | |
| Federal payment to Historical Society for City Museum | 2,000 | | | -2,000 | |
| Federal payment for a National Museum of American Music and Downtown Revitalization | 700 | | | -700 | |
| United States Park Police | 8,500 | | | -8,500 | |
| Federal payment for waterfront improvements | 3,000 | | | -3,000 | |
| Federal payment for mentoring services | 200 | | | -200 | |
| Federal payment for hotline services | 50 | | | -50 | |
| Federal payment for public charter schools | 15,622 | | | -15,622 | |
| Medicare Coordinated Care Demonstration Project | 3,000 | | | -3,000 | |
| Federal payment for Children's National Medical Center | 1,000 | | 3,500 | +2,500 | +3,500 |
| National Revitalization Financing: | | | | | |
| Economic Development | 25,000 | | | -25,000 | |
| Special Education | 30,000 | | | -30,000 | |
| Year 2000 Information Technology | 20,000 | | | -20,000 | |
| Infrastructure and Economic Development | 50,000 | | | -50,000 | |
| Y2K conversion emergency funding (courts) | 2,249 | | | -2,249 | |
| Y2K conversion (emergency funding) | 61,800 | | | -61,800 | |
| Total, Federal funds to the District of Columbia | 683,639 | 393,740 | 453,000 | -230,639 | +59,260 |
| DISTRICT OF COLUMBIA FUNDS | | | | | |
| Operating Expenses | | | | | |
| Governmental direction and support | (164,144) | (174,667) | (162,356) | (-1,788) | (-12,311) |
| Economic development and regulation | (159,039) | (190,335) | (190,335) | (+31,296) | |
| Public safety and justice | (755,786) | (778,670) | (785,670) | (+29,884) | (+7,000) |
| Public education system | (788,956) | (850,411) | (867,411) | (+78,455) | (+17,000) |
| Human support services | (1,514,751) | (1,525,996) | (1,526,361) | (+11,610) | (+365) |
| Public works | (266,912) | (271,395) | (271,395) | (+4,483) | |
| Receivership Programs | (318,979) | (337,077) | (345,577) | (+26,598) | (+8,500) |
| Workforce Investments | | (8,500) | (8,500) | (+8,500) | |
| Buyouts and Management Reforms | | | (20,000) | (+20,000) | (+20,000) |
| Reserve | | (150,000) | (150,000) | (+150,000) | |
| District of Columbia Financial Responsibility and Management Assistance Authority | (7,840) | (3,140) | (3,140) | (-4,700) | |
| Financing and other | (451,623) | (384,948) | (384,948) | (-66,675) | |
| Procurement and Management Savings | (-10,000) | (-21,457) | (-21,457) | (-11,457) | |
| Total, operating expenses, general fund | (4,418,030) | (4,653,682) | (4,694,236) | (+276,206) | (+40,554) |
| Enterprise Funds | | | | | |
| Water and Sewer Authority and the Washington Aqueduct | (273,314) | (279,608) | (279,608) | (+6,294) | |
| Lottery and Charitable Games Control Board | (225,200) | (234,400) | (234,400) | (+9,200) | |
| Office of Cable Television | (2,108) | | | (-2,108) | |
| Public Service Commission | (5,026) | | | (-5,026) | |
| Office of People's Counsel | (2,501) | | | (-2,501) | |
| Office of Insurance and Securities Regulation | (7,001) | | | (-7,001) | |
| Office of Banking and Financial Institutions | (640) | | | (-640) | |
| Sports and Entertainment Commission | (8,751) | (10,846) | (10,846) | (+2,095) | |
| Public Benefit Corporation | (66,764) | (89,008) | (89,008) | (+22,244) | |
| D.C. Retirement Board | (18,202) | (9,892) | (9,892) | (-8,310) | |
| Correctional Industries Fund | (3,332) | (1,810) | (1,810) | (-1,522) | |
| Washington Convention Center | (48,139) | (50,226) | (50,226) | (+2,087) | |
| Total, Enterprise Funds | (660,978) | (675,790) | (675,790) | (+14,812) | |
| Total, operating expenses | (5,079,008) | (5,329,472) | (5,370,026) | (+291,018) | (+40,554) |
| Capital Outlay | | | | | |
| General fund | (1,711,161) | (1,218,638) | (1,218,638) | (-492,523) | |
| Water and Sewer Fund | | (197,169) | (197,169) | (+197,169) | |
| Total, District of Columbia funds | (6,790,169) | (6,745,279) | (6,785,833) | (-4,336) | (+40,554) |
| Total: | | | | | |
| Federal Funds to the District of Columbia | 683,639 | 393,740 | 453,000 | -230,639 | +59,260 |
| District of Columbia funds | (6,790,169) | (6,745,279) | (6,785,833) | (-4,336) | (+40,554) |

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

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

Mr. Chairman, this is a good appropriations bill. The appropriations part of this bill is a terrific bill, and for that reason, I want to commend the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the Subcommittee on the District of Columbia. He has had an open mind; he has had a very solicitous attitude towards everyone who had ideas on this bill. He has taken the initiative to walk many of the city streets, to visit its schools, to encourage other members of the subcommittee to do the same. I think he has done a fine job on the appropriations part of this appropriations bill, and I thank him for that.

That is why the Committee on Appropriations Subcommittee on the District of Columbia passed out by voice vote this bill, and in the full committee, after eliminating a couple riders, which I will talk about in a moment, we passed the bill out of the full committee on appropriations as well. So everything should be fine.

In fact, I have no intention, Mr. Chairman, of taking up much time tonight, because we are not going to be voting on this bill tonight. We are going to be voting on Thursday, and on Thursday we are going to have to vote on a number of amendments that do not belong on this bill. If they are not added to this bill, then we are going to pass it virtually unanimously. But if they are added to this bill, then this is going to be a futile and very frustrating process, because not only will the Democrats in the House vote against the bill, but the President is going to veto it.

So the principal message we want to leave with those Members who are listening tonight is that if they will stick to the appropriations that belong in this appropriations bill, then we are going to have unanimity, and all of our hard work, particularly under the leadership of the gentleman from Oklahoma (Mr. ISTOOK) will have been constructive. If we do not, it will have been for naught.

The gentleman is absolutely correct in the priorities that he referred to. We agreed with the consensus budget. It was the city council's budget, the Mayor's budget, the control board's budget and our budget, and it was actually consistent with what the gentleman from Virginia (Mr. DAVIS), the chairperson of the District's Authorizing Committee, wanted to see done.

We went even beyond that, Mr. Chairman: $8.5 million for adoption incentives for children, a great idea; $20 million for the Mayor to be able to reform much of the bureaucracy in the District of Columbia, necessary, excellent addition. But another $13 million for expanded drug treatment programs, $17 million for the in-State tuition program for D.C. students; about $20 million for the offender supervision. Unbelievable that drug addicts can commit 300 to 500 crimes just to feed their drug habit. If we can get them off drugs, off drug addiction, then we can make an enormous dent in the crime rate in this city.

So so far, we agree with everything that was added.

However, when we get to the back of the bill, the sort of fine print, we realize there is 160, I think about 163 general provisions. We do not object to all of them, but some of them clearly do not belong in this appropriations bill.

One can make an argument, I would have disagreed, but one could make a decent argument that until the D.C. revitalization act, too many Federal funds were being commingled with District funds. The Congress was appropriating 43 percent of the District's budget. The District was dependent upon the Congress, so the Congress had some justification for putting all kinds of these social riders imposing its wishes in a whole number of areas that had nothing to do with the appropriations bill on District residents.

But the D.C. Revitalization Act was passed in 1997. Those functions that were State functions were taken over by the Federal Government. Those functions that exist in all of our cities and towns across the country that are funded by Federal grants are now funded by Federal grants in the District of Columbia, just the way we treat our own cities. It was the right thing to do.

But because that was done, we are no longer commingling money. We are treating D.C. like any other city, and so we should certainly treat D.C. in the way that we would want our own congressional districts treated, and we would never, ever allow this body to add the kind of social riders that have been added on this bill that will be imposed on the District of Columbia's leaders without their wishes, without their acquiescence, and, in fact, despite their very strenuous opposition.

Four such amendments were made in order by the Committee on Rules. They should not have made them in order. One is the needle exchange program. The bill says no Federal funds can be used for needle exchanges. The bill is right. That is as far as our jurisdiction goes. Leave it there. Do not allow this amendment that goes beyond Federal money and says, we cannot even be using private money or local property taxpayers' money to go into however they want to be spending it.

Mr. Chairman, the fact is we have an epidemic of AIDS in this city, and if the District feels that this is the best way to bring drug addicts into the system so they can treat them and so they can prevent HIV infection, which is the leading cause of death for adults between the ages of 25 and 44 in this city, then we ought to trust the District's judgment.

In terms of the other amendment that is being suggested that we ought not be able to adopt unless one is a traditionally married couple or blood relatives, there are a whole lot of other living arrangements that consist of very fine people who want to do something about the more than 3,000 kids in need of adoption in this city. We have no business passing these kinds of laws.

In terms of the amendment of the gentleman from Georgia (Mr. BARR), who at one point prevented the District from being able to sum up the total of the referendum results on the medicinal use of marijuana, now he has changed this and put in clearly authorizing language that would say that one cannot use certain substances in the District without attaching penalties to it. That goes way beyond the jurisdiction of this committee, even beyond the jurisdiction of the Federal Government.

Lastly, the gentleman from California (Mr. BILBRAY) has an amendment we would be sympathetic with that says it is a criminal penalty for minors to possess tobacco, but we would not do it in our own jurisdictions against the will of our constituents, and it is something that should have been done by the Committee on the Judiciary. It is authorizing language. It has no business on this appropriations bill.

Those are the issues we are going to be debating, arguing over on Thursday. There are others in addition to that that I will not go into at this time. What they are going to do is to leave a sour taste over this bill when it ought to be recognized as a very fine bill. If we had stuck to the appropriations in this bill, we could have worked together, we could have gotten at least one of our appropriation bills signed by the President, and that money could have been used for constructive purposes.

So we will draw swords on Thursday and we agree to disagree tonight. But Mr. Chairman, it is a darn shame, and it goes back to the rule. The rule made in order at least four amendments that never should have been made in order.

Mr. Chairman, I subsequently have two speakers who are going to speak for a short period of time, and hopefully, for the sake of the other Members we are going to wrap up general debate as soon as we can.

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

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS), the chairman of the related authorizing committee.

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

I have spent a lot of time on this city over the last 4 years as chairman of the authorizing committee, and I want to compliment the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the subcommittee, for the excellent approach that he has taken in reviewing the D.C. budget and bringing it to the floor in such good shape and in such a timely manner. I will address the substance of the amendments which I

think would have been made in order under an open rule, because the wording is ''no funds shall be expended,'' but we will discuss them in detail on Thursday when they come up, and I share some of the concerns of my colleagues on some of these.

Mr. Chairman, the bill is right now in good shape. I want to compliment again the gentleman from Oklahoma. I think the gentleman and his staff have kept our staff well informed. They have worked cooperatively with us. I also want to thank the gentleman from Virginia (Mr. MORAN), the ranking member, for working so closely on this too.

The appropriations bill may be the lowest in dollar amounts, but historically it has generated an extraordinary amount of interest and passion when it comes to this body. While feelings on many of the questions are as strong as ever, the lack of acrimony expressed to date is a tribute to the chairman's skill in searching out to the community and analyzing the issues. I look forward to passage of this bill and a productive conference.

Let me address some of the items that are contained in this bill. The $17 million for the D.C. College Access Act, which I sponsored and which has passed the House and I think will be marked up in the other body next week, is the best money we can spend on the city. It holds out hope to those high school graduates who work hard and want to go to college and fulfill their dreams, and they will not be frustrated just because they do not happen to live in a State and cannot afford in-state tuition to a State university system.

Senator VOINOVICH held a productive hearing on this bill a few weeks ago, and I look forward to working with him and Chairman ISTOOK and my colleague, ELEANOR HOLMES NORTON, and others to authorizing this legislation in advance.

Likewise, I appreciate the 7.5 million for a study of the 14th Street Bridge, a matter I worked on with my colleagues, the gentlemen from Virginia (Mr. MORAN) and (Mr. WOLF), for some period of time. This is also money well spent. I applaud the $25 million in the budget for drug treatment and testing and the $8.5 million to expand foster care, and I compliment the chairman on adding this to the legislation.

The $5 million to help clean up the Anacostia River is much needed, and, of course, approval of the city's consensus for tax cuts will make the District a friendlier place to live and to work and to own and operate a business. The city needs a tax base. That is why we have taken such an interest in its revitalization. Last year, we passed legislation that permitted the new Washington Convention Center to be built downtown. Working in concert with the MCI Center, we are creating a synergy to enliven the downtown area, increase tax revenues, and create job opportunities for its residents.

In the 5 years I have had the honor to serve as the chairman of the District's Authorizing Subcommittee, it has been my philosophy that one cannot have a healthy region without a healthy city. Working in a bipartisan manner, building consensus, I am proud of the way we are turning this city around. The budget that we are considering today continues these efforts. I think it is a step in the right direction, and again I compliment the gentleman from Oklahoma, and I hope this legislation will pass.

□ 2115

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

Mr. HOYER. Mr. Chairman, I thank the gentleman from Virginia for yielding time to me.

Mr. Chairman, I want to make an observation first. I agree with the ranking member, the gentleman from Virginia (Mr. MORAN), and the gentleman from Virginia (Mr. DAVIS) with reference to the product of this committee. I think it is one of the most positive products in a D.C. bill that I have seen since I have been here.

I also want to make an observation, as someone who is one of the senior members from the Washington regional delegation, that I think this delegation from the Washington metropolitan area is as positive a partner in working with our co-members of this region, the District of Columbia, and the gentlewoman from the District of Columbia (Ms. NORTON).

In particular, I would be remiss if I did not say once again what an extraordinary job the gentlewoman from the District of Columbia (Ms. NORTON) does on behalf of the District. She is attentive, able, energetic, tough as nails when she needs to be, and she is smart as she needs to be in terms of dealing with a very, very difficult situation.

It continues to be, however, I think, a travesty that the representative of the District of Columbia does not have a full vote on this House floor. Even absent that vote, Mr. Chairman, she does an extraordinarily good job in representing the people of the District of Columbia. I congratulate her for it.

Mr. Chairman, I want to just make a couple of comments. I want to thank the gentleman from Oklahoma (Chairman ISTOOK) for, again, his work on this bill. I agree, of course, as he knows, with the gentleman from Virginia (Mr. MORAN) about the Committee on Rules' actions, and with respect to a couple of other provisions in the bill as well that we will discuss tomorrow.

Basically, this is a good bill. The gentleman from Virginia (Mr. MORAN) I think is absolutely correct. As an appropriation bill, that is, without the riders, without the extraneous matter, it is a bill that I think all of us could support.

I also would like to thank the chairman and the ranking member for adding report language in the full committee that deals with the fire service. I have been a longtime advocate of the interests of the fire service. We lost a very distinguished firefighter, John Carter, in 1997. The gentlewoman from the District of Columbia (Ms. NORTON) and I have been at the funeral of two of the firefighters in the District of Columbia that have died in the last 60 days.

There was a report after Mr. Carter's death. That report made a number of recommendations. It was called the Reconstruction Committee. Two of the recommendations it made were dealing with assistance to battalion chiefs and the number of firefighters that were assigned to the trucks as they leave the station.

I believe that matter deserves very serious consideration. I know the D.C. City Council has a concern. It is report language and not mandatory, but I am hopeful that we can work on this matter and focus on it in the months ahead.

I again congratulate the gentlewoman from the District of Columbia (Ms. NORTON) for her outstanding work.

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

Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for his outstanding cooperation for the Washington metropolitan region. He does a lot for the District of Columbia specifically.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), the elected representative of the District of Columbia and our last speaker.

Ms. NORTON. Mr. Chairman, I want to thank the gentleman for yielding time to me, and take this opportunity to thank him for his wonderful attention and his hard work on behalf of the District.

If I may, I would like to thank the gentleman from Maryland (Mr. HOYER) for his very generous remarks concerning me.

This year had promised to be far smoother for the D.C. appropriation than recent years. The gentleman from Illinois (Speaker HASTERT) himself, the gentleman from Florida (Chairman YOUNG), the ranking members, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Virginia (Mr. MORAN), and especially the gentleman from Oklahoma (Chairman ISTOOK)) worked hard to achieve consensus on the D.C. budget, and they succeeded beautifully. The District's consensus budget, containing only locally-raised revenue, also found consensus in committee.

The D.C. budget is balanced and frugal, with prudent spending, a tax cut, and a surplus.

How, then, can we now allow this thoroughly cooperative give-and-take process to be destroyed by its opposite, the authoritarian imposition of attachments, strongly and unanimously opposed by all the local officials, without

exception, who alone are accountable to the residents who live here?

How, how can we allow inflammatory and undemocratically imposed attachments to overwhelm the excellent work the gentleman from Oklahoma (Chairman ISTOOK) has done on public safety in this bill, for example? He has crafted language which added Federal funds to require drug testing and treatment for 30,000 people on parole. I thank him.

How can we take an excellent appropriation bill and bring it down with a veto that has been promised if we sully it with irrelevant appendages that are wholly disrespectful of local self-government? How can we repeat the performance of last year's pitiful D.C. appropriations debacle?

Make no mistake, this appropriation is headed for a completely avoidable train wreck. After listing all the attachments before us, the administration's statement of policy says, and I am quoting, ''If such amendments are adopted and included in the bill presented to the president, the senior advisors will recommend that the President veto the bill.''

Out of respect for the half million people I represent, the new reform mayor, and the revitalized city council, I ask for a clean appropriation. Members and I may well disagree with local law, but a vote to leave a local law standing is no vote in favor of that law. They did not make it, they cannot leave it standing. Rather, it is an exercise in the oldest of American Federalist exercises. It is a vote for democracy at the local level.

Members jealously guard the local prerogatives of their districts. I demand no less respect for the people I represent. Please respect our rights as American citizens and vote against each and every one of the riders that will come before us on the District appropriation.

I want to close, Mr. Chairman, by drawing to the Members' attention a recent article in the Washington Post that struck me with deep poignancy. It is headed, ''U.S. to Host Russians for a Look at Democracy.'' We are told that this body has appropriated $10 million in an emergency appropriation, no less, to bring Russians here to see how American democracy works.

James Billington, the Librarian of Congress, said, and he is quoted in the article, that ''The U.S. Government is bringing 'a genuinely large number of young Russians, the entire cohort of young leaders, especially from the provinces, to observe American life and democratic institutions.'''

Mr. Chairman, I can only ask that for their sake and ours, we deny the Russians gallery passes to witness the D.C. appropriation on Thursday. We are told that bringing large numbers of Russians to the United States, according to Mr. Billington, and I am quoting him now, ''Avoids the patronizing syndrome of sending Americans to Russia to tell the Russians how to run their lives.''

Instead, Mr. Speaker, the Russians will see this House telling the residents of the District how to run their lives. It is not the Russians who will be patronized on Thursday if these amendments are offered, it is the people I represent.

We are told that the first 3,000 Russian participants are scheduled to arrive July 28. Fate, how cruel. This is just in time to see the sorriest spectacle left against our stated democratic principles.

Mr. Billington apparently wrote an op-ed piece for the New York Times, where he criticized, according to this article, criticized the United States for doing too little to support the development of democracy in Russia. Mr. Chairman, the criticism belongs with this House and on this bill. We are doing or will do, if we continue in the way we are going, too much to destroy democracy in the Nation's Capitol with the attachments to this bill.

There is still time to show the Russians that democracy works, even in the Capitol of the United States. I urge my colleagues to vote against all the anti-democratic amendments that will come to the House floor on Thursday. Do it not for the Russians, do it for the people I represent, and do it in the name of American democracy.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. Bilbray).

Mr. BILBRAY. Mr. Chairman, I hope, as the Russians come and witness this action, they will be reminded by all of us that we are a constitutional republic, and that the Constitution specifically allows us to delegate authority within the Federal district that was formed by that Constitution, but does not give us the right to delegate the responsibility for what happens in this District.

Mr. Chairman, I am rather concerned when I hear my colleagues talk about that the President will veto this bill if any of these amendments go forward. I cannot believe that William Jefferson Clinton would veto this bill just because we said that children in Washington, D.C. should not be possessing or smoking tobacco.

I just cannot believe the President would veto the bill just because we want to send a clear message that minors should not drink and should not smoke. I just cannot believe that this president would veto a bill just to make sure that Washington, D.C. is not a sanctuary for underage consumption of tobacco.

Today in Virginia, the law that I am proposing this week is the same law that Virginia has. Maryland does not allow minor possession, Virginia does not allow it. Over 20 States do not allow it. I think that after trying to work with the administration and the city, they have been so busy reforming other things that were very, very important to them that they have not gotten around in the year to addressing this issue.

I just ask that we do not say that this president would kill an entire bill just because this president thinks it is outrageous for Congress to say minors should not consume tobacco.

□ 2130

This is a resident issue, but it is also an American issue. We bring pages into this city. We bring our children into this city from all over the country. The message we send to our children and to our pages when we tell them do not go to Virginia and do not go to Maryland and smoke, but here in D.C., it is okay, I do not think anybody in Congress wants to take that responsibility.

Mr. Chairman, I am sure that the President will not veto this bill if we outlaw minor possession and use of tobacco in D.C. I am sure the President will support us in sending a clear message, not just to the children of D.C., but the children across this country that minor use of tobacco needs to stop and start here.

Mr. Chairman, I include the following letters for the RECORD:

HOUSE OF REPRESENTATIVES,
*Washington, DC, March 22, 1999.*

Hon. ANTHONY WILLIAMS,
*Mayor, District of Columbia, Washington, DC.*

DEAR MAYOR WILLIAMS: I would like to take this opportunity to congratulate you on your recent election victory. As a part-time resident of the District and as someone who spent twenty years in local government, including two years as a councilman and six years as a mayor, I wish you the best of luck in your first term as Mayor of the District of Columbia.

As you may already be aware, during the House of Representatives Fiscal Year (FY) 1999 appropriation process I introduced an amendment to the D.C. Appropriation Act (H.R. 4380) that prohibited individuals under the age of 18 years of age from possessing and consuming tobacco products in the District of Columbia. This amendment received strong bipartisan support and passed through the House by a 238–138 vote on August 6, 1999, but unfortunately it was not included in the final conference report.

At the time I introduced this amendment only 21 states in the nation had minor possession laws outlawing tobacco, and my amendment would have added the District of Columbia to this growing lists of states. My amendment was very straight forward and easy to understand. It contained a provision to exempt from this prohibition a minor individual ''making a delivery of cigarettes or tobacco products in his or her employment'' while on the job.

My amendment also contained a penalty section, which was modeled after the state of Virginia's penalty section for minors found in violation of tobacco possession. For the first violation, the minor would, at the discretion of the judge, be subject to a civil penalty of not to exceed $50. For the second violation, the minor would be subject to a civil penalty not to exceed $100. For a third or subsequent violation, the minor would have his or her driver's license suspended for a period of 90 consecutive days. The 90 day suspension is consistent with penalties for minor possession of alcohol in the District of Columbia. Any minor found to be in possession of tobacco may also be required to perform community service or attend a tobacco cessation program. Each of these penalties are at the judge's discretion.

I understand that the District of Columbia already has tough laws on the books to address the issue of sales of tobacco to minors.

My amendment focused specifically on the possession of tobacco products by minors in order to put minor possession of tobacco with minor possession of alcohol. All three cities in my district have passed anti-possession laws, so that I am not asking the District to do anything my own communities have not already done.

I was an original cosponsor of the strongest anti-tobacco bill in the 105th Congress, the Bipartisan NO Tobacco for Kids Act (H.R. 3638). The intentions of my amendment was to encourage youth to take responsibility for their actions. If individuals under the age of 18 know they will face a penalty for possession of tobacco, they might be deterred from ever starting to smoke in the first place.

As we move forward in the 106th Congress I would like to know whether you plan to address this issue at the local level. I think it is important that all levels of government work together to help stop children from smoking. I also believe we should send the right message to our children, and the first step in this process would be for the District of Columbia to join Virginia, Maryland, and the twenty other states who have passed youth possession and consumption laws. I would appreciate knowing of your intentions, and to work with you and Members on both sides of the aisle in 1999 to make sure this important piece of legislation becomes law.

Again, congratulations on your new position as Mayor and I look forward to working with you in the future.

Sincerely,

BRIAN P. BILBRAY,
*Member of Congress.*

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MAY 21, 1999.

Hon. BRIAN BILBRAY,
*U.S. House of Representatives, Washington, DC.*

DEAR CONGRESSMAN BILBRAY: Thank you for your letter sharing your concern about teenage smoking in the District and your congratulations on my November election to the Office of Mayor.

In response to your inquiry, the District of Columbia is addressing the issue of teen smoking through a variety of methods. DC Public Schools has two programs—The Great American Smoke-out and ''2 Smart 2 Smoke''—to raise children's awareness of the dangers of smoking. Additionally, the Department of Health supports the efforts of local and community-based initiatives like ''Ad-Up, Word-Up and Speak-Out,'' which encourages school age children to perform their own research on the effects of advertising directed at children.

Finally, the school system recently elevated possession of tobacco to a ''level one'' infraction—which means violators could incur the severe disciplinary measures, including possible suspension. To assess our progress, the District is tracking youth smoking related data through grants provided by the Center for Disease Control.

I want to assure you that I share your concerns about teenage smokers. Sandra Allen, Chairperson of the City Council's Committee on Human Services, and I are working diligently to strengthen enforcement which should, in combination with the other initiatives, result in a real reduction of teenage smoking. We believe that the cumulative effect of these initiatives will have a marked improvement on the incidence of teen smoking.

Again thank you for bringing this issue to the forefront of my attention. I agree that discouraging our youth from engaging in this terrible habit of smoking is very important in the fight to curtail tobacco's tragic and inevitable long-term effects.

Sincerely,

ANTHONY A. WILLIAMS,
*Mayor, District of Columbia.*

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HOUSE OF REPRESENTATIVES,
*Washington, DC, July 8, 1999.*

Hon. ANTHONY WILLIAMS,
*Mayor, District of Columbia,*
*Washington, DC.*

DEAR MAYOR WILLIAMS: I would like to thank you for your response to my letter regarding my youth consumption amendment and the tobacco strategies in the District of Columbia. I appreciate the information you provided regarding the programs the D.C. public schools are implementing to combat youth smoking.

As I mentioned in my first letter, in the 105th Congress I introduced an amendment to H.R. 4380, FY 1999 District of Columbia appropriations bill that sought to prohibit individuals under the age of 18 years from possessing and consuming tobacco products in the District of Columbia. This amendment received strong bipartisan support and passed through the House by a 238–138 vote on August 6, 1999.

I intend to reintroduce this amendment to the FY 2000 D.C. Appropriations Bill later in the year when Congress takes up this legislation. I believe at the same time we are educating youths on the dangers of tobacco and curtailing advertisements by the tobacco industry, we need to strive for new and innovative ways to reduce tobacco use along with sending a clear message to our youth that we will not tolerate the consumption of tobacco. This is what a youth consumption law in the District will accomplish.

My amendment contains a penalty section, which is modeled after the state of Virginia's penalty section for minors found in violation of tobacco possession. For the first violation, the minor would, at the discretion of the judge, be subject to a civil penalty not to exceed $50. For the second violation, the minor would be subject to a civil penalty not to exceed $100. For a third or subsequent violation, the minor would have his or her driver's license suspended for a period of 90 consecutive days. The 90 day suspension is consistent with penalties for minor possession of alcohol in the District of Columbia. Any minor found to be in possession of tobacco may also be required to perform community service or attend a tobacco cessation program. Each of these penalties are at the judge's discretion (I have attached a draft of my amendment for your convenience).

My amendment focuses specifically on the possession of tobacco products by minors in order to put minor possession of tobacco with minor possession of alcohol. If we are really serious about reducing youth consumption of tobacco we need to put it on the same level as alcohol and treat it equally.

Again, thank you for responding to my original letter and I look forward to working with you on this important issue. Please feel free to contact me if you have any additional questions.

Sincerely,

BRIAN P. BILBRAY,
*Member of Congress.*

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Guests of the House in the gallery are not allowed to demonstrate their support or opposition to anything that happens on the House floor.

Mr. ISTOOK. Mr. Chairman, I only have my closing comments. I do not know if the gentleman from Virginia (Mr. MORAN) desired to take any further time or not.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Would the Sergeant at Arms remove the people from the gallery?

Mr. MORAN of Virginia. Mr. Chairman, I would say to the distinguished gentleman from Oklahoma (Mr. ISTOOK) that we are prepared to conclude.

So if the gentleman from Oklahoma is prepared, the gentleman can conclude, and we will renew this debate on Thursday.

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

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

Mr. Chairman, I very much appreciate the articulate comments of the gentlewoman from the District of Columbia (Ms. NORTON). I especially appreciate the passion with which she represents her community.

Mr. Chairman, I would like to address a couple of comments that were raised by the gentleman from Virginia (Mr. MORAN) and by the gentlewoman from the District of Columbia (Ms. NORTON) because I think they are worthy of considered response.

I realize that we are going to have certain votes when amendments are offered to this bill on Thursday. As we do in elections, so, too, here in the House of Representatives, we accept the results of votes. We have those votes. We handle our differences. But we do not let the things upon which we differ keep us from uniting to accomplish the things that we agree are good. I think that is important in this.

There may be certain senior advisors of the President who recommends to him that he veto a bill over just one issue. I personally doubt that he would over one or even two. I think that needs to be explored briefly.

I had the opportunity, Mr. Chairman, to serve in local government as a city council member in my community, a library board member over a consolidated county system, and a library chairman, and as a member of the State legislature in Oklahoma. Frequently, especially in the legislature, I found that, as a member of the Oklahoma legislature, we not only established the public policy for State government, but we established public policy for the communities within the State of Oklahoma.

That is true in every State, Mr. Chairman, because cities, counties, villages, townships, parishes, these are established by State government. State government gives them the parameters within which they may function.

It is not uncommon in State government to have issues come up that say, this governs not only how the State itself is going to operate, but also how the political subdivisions within the State are going to be able to operate, what they can do, or what they cannot do.

Washington DC, of course, is a very different situation. It is not a State that has a State government. It is a

Federal district that has one city. It is established by the Federal Constitution.

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

Mr. ISTOOK. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I appreciate the gentleman yielding to me. I accept the gentleman's great American analogy, federalist analogy. But as the gentleman himself served in local government, he will, I think, recognize that, at the local level, there was voting representation so that there had been agreement to live by majority vote. Because even at the lowest local level, there was voting representation.

The gentleman recognizes that I have no vote in this body, and what vote I did have was taken from me. I just want to indicate that I would, in fact, agree if, in fact, this State analogy were fully perfect.

Mr. ISTOOK. Mr. Chairman, I understand the gentlewoman's concerns, and I appreciate them. As I said before, I appreciate the great passion that she brings to her representation of D.C. I recognize the concerns that she has over the fact that she is not a voting Member on the floor of this body. I realize her argument. I do not think that undercuts the principle of whether or not the Congress of the United States has responsibilities and authority, even though it is not popular with everyone that we do so.

Because just as the State constitutions create cities and counties and other political subdivisions, the United States Constitution created one special entity called the District of Columbia to be the seat of government for the Nation's Capitol.

Article I, section 8 of the U.S. Constitution states that Congress shall have sole legislative authority over this District. We have delegated through home rule, but, nevertheless, the Constitution established a unique situation. Certainly, of course, the city has the Federal Government here, and it, frankly, has an assurance that this Federal Government is going to be here and will always enjoy the benefits as well as the things which are not benefits of being the seat of the Nation's Government.

But we are given a responsibility over public policy within the District of Columbia, and that makes it a very difficult issue, because it brings forth the feelings and the passions such as the gentlewoman is expressing, and others are, too.

But what we are considering in the bill with the amendments that different Members intend to offer on Thursday to this bill is not unique. I think it is very important to note, if my colleagues look at the amendments that the Committee on Rules chose to place in order for Thursday, we have the amendment to be offered by the gentleman from Oklahoma (Mr. Largent), which states that adoptions should, if they are by multiple persons, should be by persons who are related by blood or by marriage. That is an amendment which was adopted by this House of Representatives a year ago. The vote was 227 to 192. It is not something new that has been brought to bear in this bill.

The amendment that the gentleman from California (Mr. BILBRAY) intends to offer regarding minors and tobacco is not new. It is virtually the same as the amendment which was considered by this House and passed last year by a vote of 283 to 138.

The amendment that the gentleman from Georgia (Mr. BARR) intends to offer is somewhat different from the one last year. Last year, it was adopted by a voice vote. There was not even a recorded vote requested. It was adopted by a voice vote. It would have prohibited the District from counting the results of the initiative and the election that was conducted regarding medical use of marijuana.

But it is important to note that that provision was not only adopted by the House of Representatives, it was also approved by the United States Senate, and it was signed into law by the President of the United States.

This year, the amendment which the Committee on Rules made in order for the gentleman from Georgia (Mr. BARR) does not go that far. It simply states that the District shall not legalize a drug that is a restricted drug under schedule I of the Federal Controlled Substances Act.

The amendment that causes some controversy that the gentleman from Kansas (Mr. TIAHRT) intends to offer on the floor this Thursday, which states that no public money may be used within the District for a program of needle exchange regarding illegal drug usage, that is not a new provision. That was adopted last year by the House of Representatives on a vote of 250 to 169. It was approved by the United States Senate. It was signed into law by the President of the United States.

Maybe this year the President's advisors want him to change his mind and say he should veto it if that provision remains there. But the case remains that that is a provision that was approved by the House, the Senate, and the President a year ago.

The language which the gentleman from Virginia (Mr. MORAN) has in the bill in place of the Tiahrt language to say that the limitation is on the use of Federal funds, but not a limitation on local funds within the District, is an amendment which was disapproved last year by the House on a vote of 173 to 247.

These are not new issues that have been brought up. In fact, I have encouraged my fellow Members not to bring up new issues to tack on to this particular bill. But I have recognized that positions have been taken by the House, by the Senate, by the President, acting in concert, and that those remain issues that have previously been considered appropriate for this body; and, therefore, we have the votes on Thursday on those issues again.

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

Mr. ISTOOK. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I want to correct the RECORD that the President never specifically signed the D.C. appropriation last year. It was the year of the great appropriation debacle.

Mr. ISTOOK. Mr. Chairman, it was within an omnibus appropriation.

Ms. NORTON. Mr. Chairman, it was within an omnibus bill. The President's agents sought to get each and every one of those amendments off, did get the adoption amendment off, for example, but was not able in the course of negotiations to get all of the amendments off.

So the President is not being inconsistent when he says he will veto this year.

Mr. ISTOOK. Well, as I said correctly, Mr. Chairman, the President signed that provision into law last year. Yes, it was in a bill that had many other things within it, but it was signed into law by the President, the very provision that his advisors now say that they would recommend he veto if that provision remained within the bill.

We all know there is a great difference between what an advisor may counsel, what a member of one of the staff that works for us on Capitol Hill, what they may counsel, and what we may deem that we should do or choose to do. I think we have to have perspective.

We have not brought up new issues within this bill. We have the continuation of the issues that have already been brought before this body, and this body has previously determined that they were appropriate to consider.

Those are still live issues. These include issues that were signed into law by the President a year ago. I think it is appropriate for us to consider something that the President did agree to sign into law a year ago.

We will have those debates Thursday. I will abide by the results. I expect that other Members of this body will abide by those results. I just want to put those in perspective, Mr. Chairman.

But I do not want to lose track of the positive things that we have worked together to do in this bill. After we have those votes on the disagreements, I expect that we can and will and should unite to promote those things that we have put in this bill to make the District of Columbia a better, safer, more prosperous place to live, to work, and to visit.

I think that is a worthwhile goal for the capital city of the United States of America. I hope that every Member of this body will join me in that commitment, regardless of our differences on different votes, unite together and approve this bill for the common good of

the capital of the United States of America.

Mr. FARR of California. Mr. Chairman, I rise to congratulate my colleagues, Chairman ISTOOK and Ranking Member MORAN, on a fine bill that they have put together.

Though I disagree with certain portions of it—specifically those prohibiting the use of local funds for abortion and the local domestic partner law—I believe the bill is generally even handed.

There is one issue I wish to raise, however, that is not addressed in this bill and has never, to my knowledge been raised before: pit bulls.

the recent death of a veteran firefighter on the DC fire squad because of a pit bull attack during a fire run is only the latest of tragedies associated with vicious pit bull attacks.

I am an animal lover and for the most part will give animals the benefit of the doubt for their right to share this planet with us. I abhor animal cruelty and am grateful for the support I received from this House in passing a partial ban on steel-jaw leghold just traps two weeks ago.

But this city has a problem with maintaining proper control over pit bulls and Firefighter Robinson was only the most recent addition to a sad list of statistics.

According to Mary Healy, Executive Director of the Washington Humane Society, over ⅓ of all the animals that come into their animal shelters every year is a pit bull. Just think of it: of all the breeds of all the dogs out there, one breed overwhelmingly dominates like no other. These dogs are turned in or found or captured because they are not suitable as pets. It is the nature of this beast to be other-animal aggressive which leads to unprovoked attacks on other dogs and by proximity, on people. As such they pose a public health and safety threat and for this reason the Humane Society supports full ban on pit bulls.

Originally I had considered offering an amendment to this bill specifically calling on the DC Council to do something about this problem. I will refrain from doing so only because I have learned that the DC Council is moving in the right direction on this issue due to the leadership of Councilmember Carol Schwartz. Ms. Schwartz in March introduced strong legislation that would put sensible restrictions on pit bull ownership in the District. I applaud her vision and dedication to solving this troublesome aspect of life in DC. I understand from Councilmember Schwartz that she has been guaranteed a hearing in October by Sandy Allen, Councilmember from War 8 and Chairperson of the Council Committee on Human Services. I fully hope to see the Council enact Ms. Schwartz's legislation on an emergency basis and work toward a more permanent solution—maybe even an out-and-out ban like that enacted in Prince Georges County, Maryland—within the next several months.

We can't wait for the next headline to tell us of the next tragedy of a person hurt or maimed or even killed by these vicious dogs. Firefighter Robinson gave his life; Councilmember Schwartz has the answer. Congress should honor the memory of fireman Robinson by during the Council to pass Ms. Schwartz's bill . . . and if the Council won't act then I will see that Congress does.

Mr. PORTMAN. Mr. Chairman, I rise today to comment on the District of Columbia Appropriations legislation. I commend the subcommittee, its Chairman [Mr. ISTOOK] and the full committee for their work on this important legislation.

As someone with a strong interest in reducing substance abuse through demand reduction—and as co-chairman of the Speaker's Working Group for a Drug-Free America—I'd like to comment on a provision of this legislation that is of particular interest to the drug prevention and education community.

DRUG TESTING FOR PRISONERS AND PAROLEES

I commend the gentleman from Oklahoma for including funding in this program for universal drug testing and screening of incarcerated prisoners and parolees. Today, 80% of incarcerated prisoners in this nation were either under the influence or drugs or alcohol, were regular drug users or violated drug and alcohol laws at the time they committed their crimes. Remarkably, in 1996, more than 1.5 million were arrested for substance abuse-related offenses. Worse yet, those who go to prison without effective treatment for their addiction tend to wind up back in the criminal justice system in the future.

Substance abuse contributes to many of our worst social ills—violence, child and spousal abuse, robbery, theft and vandalism. As a result, our judicial system is overwhelmed with substance abusers. You would think, when a criminal is locked up for a drug-related offense, the prison itself would be a drug-free environment and the prisoner would be forced to get drug treatment.

But our prisons are often bastions of drug abuse. Only 13% of prisoners receive any sort of treatment for their drug problem at all and many of those treatment programs are considered inadequate.

Unfortunately, the drug habits of thousands of these individuals continue and sometimes worsen in prison. So it's no surprise that, according to statistics from the National Center on Addiction and Substance Abuse, 50% of state parole and probation violators were under the influence of drugs, alcohol or both when they committed their new offense. In other words, these individuals continue to be a menace to society because their drug problems are not addressed behind bars.

There are a number of steps we can take to stop the revolving door of incarceration, parole and re-arrest—including the successful drug courts at the local level that use the threat of prison to get people to address their drug habits through treatment. At the national level, a recent Federal Bureau of Prisons study showed that inmates who receive treatment are 73% less likely to be re-arrested than untreated inmates.

That's why I introduced the Drug-Free Prisons and Jails Act last year, which established a model program for comprehensive substance abuse treatment in the criminal justice system to reduce drug abuse, drug-related crime and the costs associated with incarceration.

And that's why I'm pleased to support the drug testing program in this legislation before us today. By identifying criminals and parolees in the District of Columbia with drug addiction problems, we will help to reduce crime in our nation's capital—and we will stop the costly revolving door of drug addiction and incarceration in the DC prison system.

Mr. ISTOOK. Mr. Chairman, I yield back the balance of my time.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HILL of Montana) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

□ 2145

## COMMUNICATION FROM THE HONORABLE GARY L. ACKERMAN, MEMBER OF CONGRESS

The Speaker pro tempore (Mr. Hill of Montana) laid before the House the following communication from the Honorable Gary L. ACKERMAN, Member of Congress:

JULY 23, 1999.

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents and testimony issued by the United States District Court for the Eastern District of New York.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

GARY L. ACKERMAN,
*Member of Congress.*

## APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE GEORGE E. BROWN, JR.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 252, the Chair announces the Speaker's appointment of the following Members of the House to the committee to attend the funeral of the late George E. Brown, Jr.

Mr. STARK, California.
Mr. HASTERT, Illinois.
Mr. GEPHARDT, Missouri.
Mr. BONIOR, Michigan.
Mr. GEORGE MILLER, California.
Mr. WAXMAN, California.
Mr. DIXON, California.
Mr. LEWIS, California.
Mr. MATSUI, California.
Mr. THOMAS, California.
Mr. DREIER, California.
Mr. HUNTER, California.
Mr. LANTOS, California.
Mr. MARTINEZ, California.
Mr. BERMAN, California.
Mr. PACKARD, California.
Mr. GALLEGLY, California.
Mr. HERGER, California.
Ms. PELOSI, California.
Mr. COX, California.
Mr. ROHRABACHER, California.
Mr. CONDIT, California.

Mr. CUNNINGHAM, California.
Mr. DOOLEY, California.
Mr. DOOLITTLE, california.
Ms. WATERS, California.
Mr. BECERRA, California.
Mr. CALVERT, California.
Ms. ESHOO, California.
Mr. FILNER, California.
Mr. HORN, California.
Mr. MCKEON, California.
Mr. POMBO, California.
Ms. ROYBAL-ALLARD, California.
Mr. ROYCE, California.
Ms. WOOLSEY, California.
Mr. FARR, California.
Mr. BILBRAY, California.
Ms. LOFGREN, California.
Mr. RADANOVICH, California.
Mr. CAMPBELL, California.
Ms. MILLENDER-MCDONALD, California.
Mr. ROGAN, California.
Mr. SHERMAN, California.
Ms. SANCHEZ, California.
Mrs. TAUSCHER, California.
Mrs. CAPPS, California.
Mrs. BONO, California.
Ms. LEE, California.
Mr. KUYKENDALL, California.
Mr. GARY MILLER, California.
Mrs. NAPOLITANO, California.
Mr. OSE, California.
Mr. THOMPSON, California.
Mr. OBEY, Wisconsin.
Mr. KILDEE, Michigan.
Mr. SENSENBRENNER, Wisconsin.
Mr. KILDEE, Michigan.
Mr. SENSENBRENNER, Wisconsin.
Mr. HALL, Texas.
Mr. BOEHLERT, New York.
Mr. BARTON, Texas.
Mr. GORDON, Tennessee.
Mr. COSTELLO, Illinois.
Mr. FALEOMAVAEGA, American Samoa.
Mr. MCNULTY, New Year.
Mr. ROEMER, Indiana.
Mr. BARCIA, Michigan.
Ms. EDDIE BERNICE JOHNSON, Texas.
Mr. EHLERS, Michigan.
Ms. RIVERS, Michigan.
Mr. LAMPSON, Texas.
Mr. HOLT, New Jersey.

## GENERAL LEAVE

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the subject of the special order today by the gentleman from Florida (Mr. BILIRAKIS).

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

There was no objection.

## TRIBUTE TO PARKER HIGH SCHOOL, BIRMINGHAM, ALABAMA

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

Mrs. JONES of Ohio. Mr. Speaker, I rise today to pay tribute to Parker High School for its efforts in eliminating color barriers in public education in Birmingham, Alabama, and across the United States. I would like to thank my colleague, the gentleman from Alabama (Mr. HILLIARD), for joining me in this tribute to recognize Parker High School.

Mr. Speaker, it is important to salute Parker for the significant contributions it has made in educating African Americans. My father, Andrew Tubbs, and my uncles, William Burns and Bernard Sherrell, are graduates of Parker High School.

Parker High School was, at one time, considered the world's largest historically African American high school. The school was named after Arthur H. Parker, a teacher in Birmingham, who established the first school in 1899.

Mr. Speaker, I have heard many good things from my family members about how this school has done an excellent job in preparing its students to be leaders in their respective fields.

Parker High School boasts many firsts, for example, graduated the largest number of students at an African-American high school in U.S. history. And also boasts of an enrollment of 3,702 students fifty years ago. Many of their students participated in the Civil Rights Movement and have become well-known business, professional, and civic leaders in cities across our great Nation.

During the 1950s, Parker High School raised its academic standard above all other schools in the State, which gave its students what many considered the best education in Alabama. Some of its graduates include Arthur Shores, the first African American admitted to the Alabama Bar; Bernice Spraggs, Chicago Defender Washington correspondent; James W. Ford, Communist candidate for Vice President in 1936; Shelton ''Sead'' Hemphill, the trumpet player for Duke Ellington; and Laura Washington, vocalist with Erskine Hawkins.

Many of their alumni have been respected community leaders in New York, Chicago, and my hometown of Cleveland, which is part of the 11th Congressional District that I represent.

I congratulate Parker's class of 1951, who will hold its reunion on Friday, July 30, in Cleveland, Ohio. As a guest speaker, I will help the class celebrate its history and discuss their theme of ''Crossing the Bridge to the 21st Century, By Passing our Legacy on to our Heirs.''

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## IN RECOGNITION OF DEDICATED SERVICE BY MR. ROBERT TOBIAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, I rise this evening to recognize the outstanding efforts of Robert Tobias on behalf of Federal employees. After 31 years of service to the National Treasury Employees Union and 16 years as its president, Bob is retiring to spend more time with his family.

Words alone cannot adequately explain the impact Bob Tobias has had over the past 31 years. To say that he is a leader in the Federal employee community simply does not do him or the contributions that he has made justice.

Bob has built NTEU from a union of 22,000 members located solely in the Treasury Department to a union of 155,000 employees representing Federal employees in 22 agencies. Legislatively, I cannot think of one major gain that Federal employees have made since I was elected to Congress in 1981 that has not had Bob Tobias' hand in it.

The list of accomplishments is impressive: helping to create the Federal Employee Retirement System; suing the Nixon administration and recovering $533 million of back pay owed to Federal employees; allowing CSRS-covered Federal employee to have another FERS open season when he won a Supreme Court case challenging the President's use of the line item veto power; IRS restructuring; assisting me in passing the Federal Employees Pay Comparability Act; working to institute alternative work schedules; telecommuting; and on-site child care for Federal employees.

The one area where I think Bob's influence was most deeply felt was the creation of partnership in the workplace and in the reinvention of government. When Vice President Gore's reinvention efforts began, the Federal workplace was at a crossroads. The old adversarial relationship between labor and management simply was not working. Government needed to be more efficient and accomplish more with less resources and personnel.

Participating with the reinvention effort was not easy. It took courage and vision, because, Mr. Speaker, part of the effort called for downsizing the Federal work force to its lowest level since the Kennedy administration. At that time, reinvention and partnership had a lot of detractors, but Bob Tobias and the late AFGE president, John Sturdivant, had a vision and took the risk. They took the risk, and I believe for the first time the talent of the rank-and-file employees started to be harnessed.

It paid off, Mr. Speaker, because bargaining unit employees for the first time got a seat at the table. They got a say in how their agency was run. This risk did not only benefit the members that Bob represented but ultimately paid off for the American taxpayer, who benefited from a more efficient and responsive government.

In his letter to chapter presidents in February, Bob wrote, and I quote:

''From my first day at NTEU, my goal has been to move us from helplessness and despair to dignity and respect; from being ignored to being recognized and included; and from acting alone to experiencing our collective power of collective action.''

Mr. Speaker, Bob Tobias has achieved those goals and NTEU members and the American people are better off today because of his efforts. We wish him well, and we wish him all the best in the future, and we thank him for his service.

Mr. Speaker, I often observed to groups of employees to whom I spoke that there was no better labor leader in America than Bob Tobias. He cared about his people, he worked tirelessly on their behalf, he advocated in their best interest and, like most successful leaders, accomplished much for all of those he represented. But as I said earlier in my statement, not only did he accomplish great things for them, but he made the workforce of the American people, the Federal employees, a better, more effective, more efficient, more disciplined, more focused workforce. And for that, we in America owe him a great debt of gratitude. America and its government are a better place for the service of Robert Tobias.

Mr. KOLBE. Mr. Speaker, I rise to acknowledge the work Bob Tobias has done for federal employees. Bob has been the president of the National Treasury Employees Union since 1983 and has been with this organization for the last 31 years. No doubt about it—Bob Tobias has positively affected the character of the NTEU.

As chairman of the Treasury and General Government Appropriations Subcommittee, I have had the honor and privilege of working closely with Bob on many issues. He has always been honest, compassionate, and unrelenting in fighting for what he believed to be the right course of action. I will always look back favorably on the times I have spent working with Mr. Tobias.

It is my understanding that Bob will be 56 years old in August, which is when his fourth term will expire. I wish him the best in his next endeavor. I'm told that he plans to write or teach, and even though he is an alumnus from the University of Michigan, and not from another more formidable ''Big 10'' school—Northwestern University from which I graduated—I am pleased to recognize Mr. Robert M. Tobias for his work with the NTEU.

## GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear herafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE 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 Virginia (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Virginia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

(Mr. KOLBE 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 Alabama (Mr. HILLIARD) is recognized for 5 minutes.

(Mr. HILLIARD 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 North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## 25TH ANNIVERSARY OF TURKEY'S INVASION OF CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, as I have done every year, I rise again to declare my deep concern and utter indignation regarding the 25-year occupation of the island of Cyprus by Turkish troops.

It was in July 1974, that Turkish forces, consisting of 6,000 troops and forty tanks, landed on Cyprus' northern coast and captured a good part of the island nation. This military operation was appropriately code-named ''Attila.''

A few days later, the three guarantor powers, namely, Greece, Turkey and the United Kingdom, were negotiating to determine the fate of the island. To maximize its illegal territorial gains, Turkey used this opportunity to launch the second phase of its pre-planned assault, code-named ''Attila II.''

Since then, Turkey has occupied 37% of the island in defiance of any code of civilized behavior in the community of nations.

The consequences of that brutal action were devastating. More than 5,000 people were killed during the invasion. Even today, the fate of 1,614 Cypriots and 4 U.S. citizens, missing since the invasion, remains a mystery.

More than 200,000 Greek Cypriots—men, women and children—were forcibly expelled by the invading Turkish army in a mass exodus reminiscent of Bosnia and Kosovo. These ''refugees'' settled in the southern part of the island. Of course, they have never been compensated by Turkey for their confiscated lands and houses, or for their ruined businesses.

Ever since this atrocious act, Turkey has embarked on a methodical effort to first entrench and fortify its military presence on the island, and second, to alter the demographic characteristics and ethnic composition of its population.

To achieve the former goal, Turkey beefed up its occupation force to more than 40,000. In addition, a large amphibious assault force is permanently stationed at the Turkish mainland base closest to Cyprus.

To accomplish the latter goal, scores of Turkish people from Anatolia were transplanted into the occupied lands to take possession of the properties and businesses of the expelled refugees. These settlers, conservatively estimated at 80,000, and the Turkish occupation force currently outnumber the Turkish-Cypriot population who legitimately inhabited northern Cyprus before the invasion.

The illegal nature of this aggressive act, and the brutality with which it was conducted, aroused the indignation of the international community. In the ensuing years, the arbitrary declaration of the occupied northern Cyprus as an independent ''republic'' failed to expunge its illegal nature. A quarter of a century later, the occupied Northern Cyprus has remained a pariah ''entity,'' not recognized by any nation in the world, except Turkey.

Over the years, repeated attempts have been made by individual governments and by the United Nations to find a solution to the problem of Cyprus. All of them failed because of the intransigence of Turkey. As a result, the relations between Greece and Turkey have been adversely affected to the point that direct military confrontations between them have been narrowly averted on at least two occasions. Given their geographic location and the fact that both countries are member states of NATO, such a conflict would seriously impact the stability of the eastern Mediterranean region.

Demilitarization would alleviate the security concerns of all parties and substantially enhance the prospects for a peaceful resolution of the problem. Unfortunately, Cyprus' efforts to resolve the situation have been rebuffed by Turkey and the self-proclaimed leader of the illegitimate Turkish Republic of Northern Cyprus, Mr. Denktash.

The intransigence of the Turkish side is clearly reflected in the two pre-conditions set by Mr. Denktash for a solution of the Cyprus problem. Specifically, he demanded that this illegal ''government'' in the occupied part of northern Cyprus be formally recognized. He also said Cyprus must withdraw its application to join the European Union, threatening that

''there will be war if Cyprus joined the European Union''.

Both demands are obviously unacceptable to the Congress, the United States Government, the Government of Greece, the legitimate Government of Cyprus, and to any neutral member of the international community.

Denktash's threats have been echoed by the Government of Turkey which has threatened to annex the occupied part of the island if Cyprus joins the European Union. In fact, Turkey has already signed a number of ''agreements'' with the illegal Turkish regime that lay the groundwork for the eventual annexation of the occupied area.

What Mr. Denktash and Turkey fail to understand is that acceptance to membership in the European Union must be earned on the basis of performance and achievement.

Over the years, it has become obvious that the intransigence of Turkey on a just settlement of the Cyprus problem represents a strategy aimed at forcing Turkey's acceptance to membership in the European Union. Such membership has so far been denied for several reasons. First, is the fact that Turkey has not yet achieved the level of economic prowess deemed necessary for membership in the European Union. Second, the political system and the philosophy and practices of its governments over the past several decades do not conform with the democratic principles of the western world. Third, Turkey's record on respect of human rights and political freedom leaves a lot to be desired.

Lastly, Turkey continues to reject proposals for a just and permanent solution of the problem of Cyprus, despite the European Parliament's position that membership is contingent upon resolution of the Cyprus problem.

The recent dispute over Cyprus' plan to purchase defensive anti-aircraft missiles to protect itself also demonstrates the bellicose posture of Turkey as opposed to the conciliatory stance of the Government of Cyprus. This incident clearly illustrates the need for a concerted effort to solve the problem of the divided Cyprus.

Turkey objected to the planned deployment of the defensive missiles, falsely claiming that they represent a threat to its security. It also made clear its intention to use force to block this deployment.

In response to these threats, the Government of Cyprus offered to cancel deployment if Turkey would resume serious and constructive reconciliation talks. Yet, the Turkish side remained intransigent in its refusal to renew negotiations and continued to threaten Cyprus with military action.

In a remarkable gesture of good will, the Government of Cyprus eventually and unilaterally canceled the deployment of the missiles, forgoing its legitimate right to self-defense against Turkish aggression. It is regrettable that this conciliatory decision failed to bring the Turkish side to the negotiations table.

Prolonging this explosive state of affairs in eastern Mediterranean is fraught with risks for all parties involved, including the United States. An armed conflict between Greece and Turkey over the Cyprus dispute remains a dire possibility. Such a conflict would have devastating consequences for peace and stability in that sensitive and highly volatile region.

It is the interests of the United States, the countries involved in the dispute, as well as other neighboring countries to have this matter settled in a spirit of mutual respect.

I, along with Representatives MALONEY and KELLY, today introduced a bill that urges Turkey's compliance with all relevant United Nations resolutions relating to Cyprus. This bill also requests our administration to use its influence to persuade Turkey to accept the United Nation's Secretary General's invitation for negotiations without preconditions in the fall of 1999.

To this end, I call upon the administration to focus its attention on the problem at hand and to apply the necessary diplomatic pressure on Turkey and Mr. Dektash in order to promote a peaceful and negotiated resolution of the dispute. If nothing else, history has taught us that neglecting a smoldering problem that has the potential of a major crisis, only makes its consequences more devastating. In the threshold of the third millennium, the United States can hardly afford to turn a blind eye to the Cyprus problem.

Ms. BERKLEY. Mr. Speaker, I would like to thank Mr. BILIRAKIS and Mrs. MALONEY, who are the co-chairs of our congressional caucus on Hellenic issues, by organizing this special order on Cyprus and for their leadership on this issue.

I rise today to acknowledge the 25th anniversary of Turkey's invasion and occupation of Cyprus. As a result, an estimated 35,000 heavily armed Turkish troops continue to occupy 37% of the island.

Nearly 200,000 Greek Cypriots, who fell victim to a policy of ethnic cleansing, were forcibly evicted from their homes and became refugees in their own country. Tragically, a quarter of a century later they are still refugees as they continue to be prevented by the Turkish occupation army from returning to their ancestral homes.

To this day, over 1,600 Greek Cypriots—civilians, soldiers, women and children—including four Americans of Cypriot descent, have been missing since the Turkish invasion of 1974, and their fate is still unaccounted for. The Turkish Government refuses to provide any information of their status.

In June, the leaders of the seven most industrialized countries and Russia, the G–8, urged the U.N. Secretary General to invite the leaders of the two sides to comprehensive negotiations without preconditions in the autumn of 1999. As the G–8 leaders stated recently in Cologne, ''The Cyprus problem has gone unresolved for too long. Resolution of this problem would not only benefit all the people of Cyprus, but would also have a positive impact on peace and stability in the region.''

Several rounds of negotiations have taken place which have failed, principally because of a lack of political will on the Turkish side and its refusal to abide by international law and to comply with Security Council resolutions which provide the framework for a solution. Moreover, Turkey has upgraded its military presence on the island, it has made repeated threats against the Republic of Cyprus for further military action and has spared no effort to block any progress toward a just and viable solution.

If a solution is ever to be achieved, it is essential that the Turkish side respond positively to the call of the international community for a resumption of the negotiations without preconditions and within the agreed parameters.

Sadly, Turkey continues to reject numerous gestures of goodwill by the Cyprus Government to facilitate the achievement of a solution. The Cyprus Government has canceled an order for the importation and deployment of a Russian defense air-to-missile system on Cyprus, and has put forward a comprehensive proposal for the complete demilitarization of the island, which has also been rejected by the Turkish side.

The current status quo is unacceptable. It is imperative to take all necessary steps to actively support all efforts to end the forcible division of the island and its people and reunify Cyprus through a just and lasting solution. I urge Turkey to comply with the resolutions of the United Nations and to work constructively for a solution to the Cyprus problem. Twenty-five years of occupation are enough.

Mr. ROTHMAN. Mr. Speaker, I rise to mark the 25th anniversary of Turkey's invasion of Cyprus.

As Greek-Cypriots around the world mark a tragic day in their nation's history, hundreds of people joined hands in a circle of hope around the U.S. Capitol to ask for Congress' help in making Cyprus whole again.

All the commemorations held today marking the 25th anniversary of Turkey's invasion of Cyprus highlight one of the great and continuing tragedies of the 20th century. With 37% of Cyprus currently occupied by Turkish forces, with 1,618 Greek-Cypriots still unaccounted for from the conflict, and with over 200,000 Cypriots displaced from their homes since 1974, it is long past time for the United States to lead the international community in addressing this great injustice.

We, in this body, have passed resolution after resolution urging Turkey to withdraw its forces from Cyprus, urging Turkish-Cypriot leaders to renounce ''declarations of independence'' that they have issued in defiance of international law. And in the United Nations, the Security Council has consistently and forcefully urged Turkey to end its military occupation of over a third of the sovereign territory of the Republic of Cyprus. These efforts, coupled with vigorous diplomatic initiatives sponsored by the United States and the European Community, remain central to securing a final settlement that will end the artificial division of Cyprus.

It is my firm belief that today and every day, Congress has solemn obligation to support a just and lasting solution to the Cyprus problem. A solution which must follow the precepts laid down in United Nations Security Council 1250, which was adopted on June 29, 1999 and which in part reads, ''. . . a Cyprus settlement must be based on a State of Cyprus with a single sovereignty.'' In short, the House of Representatives should serve as a guiding force in the pursuit of a reunified Cyprus, an island nation where all citizens enjoy fundamental freedoms.

Mr. Speaker, let me conclude by saying that I am of the belief that the solution to the Cyprus problem resides in the will of the United States and the international community to renounce the violence that divided Cyprus a quarter century ago and to affirm that the reunification of Cyprus is a priority. The resolutions concerning Cyprus that we in this body consider and pass, those passed by the EU and other distinguished international organizations, are all important. They are important because they uniformly call on Turkey to abide by international law by withdrawing its troops from Cyprus and in so doing, serving to advance a swift and certain resolution to the Cyprus problem. I support the speedy resolution

of the Cyprus problem and look forward to a day when the unification, not the division, of Cyprus is celebrated in this body and around the world.

Mrs. MALONEY of New York. Mr. Speaker, twenty-five years is too long. It is too long to be kept from your home. It is too long to be separated from family. It is too long to have children have to make the decision to go to school and never see their family again. Twenty-five years is too long.

It is too long for Cyprus' rich 9,000 year-old cultural and religious heritage in the occupied part to be destroyed or plundered. It is too long to watch helplessly the continual stream of atrocities and human-rights abuses. It is too long for the world to watch in silence and do nothing. Twenty-five years is too long.

It is time to correct the injustice that has been occurring on Cyprus. It is time to return displaced Cypriots to their homes. It is time to reunite families. It is time to allow children to go to school. It is time try to restore the rich cultural and religious heritage of Cyprus.

After 25 years, it is time for the United States to take a vocal role in speaking out against the division of Cyprus and the horrible atrocities that have happened there. That is why the Gentleman from Florida and I introduced a resolution today that urges compliance by Turkey with United Nations Resolutions on Cyprus.

In the last year, the U.N. Security Council has passed four resolutions regarding the invasion of Cyprus. It is time that a Cyprus settlement is reached: Based on a single sovereignty and a single citizenship with its independence and territorial integrity safeguarded and compromised of two politically equal communities—a bicommunal and bizonal federation.

The Republic of Cyprus has agreed to these conditions. It is time that Turkey come to the bargaining table without unacceptable preconditions and the idea of a confederation of two sovereign states. We have challenging work to do. But, with the help of everyone here, hopefully soon we will be celebrating the reunification of Cyprus instead of commemorating the invasion.

Already there are 34 cosponsors of the bill. The momentum in Congress is growing. Take, for instance, the Hellenic Caucus. There are 75 members of the Hellenic Caucus this year which is up from 69 last Congress.

The momentum is here in Congress and we must continue that momentum and use our influence with Turkey to push them to bring real goals to the table instead of unviable preconditions.

Mr. ACKERMAN. Mr. Speaker, today marks the 25th anniversary of Turkey's invasion of Cyprus, and I rise with my colleagues to sadly commemorate this tragic event. I have always supported efforts, including legislation, calling for the end of the tragic separation of the island of Cyprus. I am proud to be a cosponsor of important legislation calling for a just and peaceful resolution to the current situation on Cyprus (H. Con. Res. 81), and have also called for an immediate end to the militarization of Cyprus. I have also written to President Clinton numerous times to point out instances of Turkish aggression on the island. Lastly, I have also supported the Republic of Cyprus's application for entry into the European Union.

It goes without saying that the situation on Cyprus is of great importance to the United States and to me. The appointment of Ambassador Richard Beady as special emissary for Cyprus demonstrates this importance to the Clinton Administration. I believe that after 25 years of stagnation, the situation on Cyprus demands a fair and comprehensive solution. The UN Security Council has condemned the declaration of independence by the Turkish Republic of Northern Cyprus and has called for the withdrawal of all Turkish troops. The Security Council also called on all states not to recognize the purported state of the ''Turkish Republic of Northern Cyprus.''

In fact, no country in the world recognizes the so-called ''TRNC'' except for Turkey. UN resolutions since 1974 have called for the withdrawal of all foreign forces from Cyprus, the return of all refugees to their homes in safety, and respect for the sovereignty, independence, territorial integrity and unity of the Republic of Cyprus. Several rounds of negotiation have taken place, all of which have failed because of a lack of political will on the Turkish side and its refusal to abide by international law and to comply with Security Council resolutions.

Turkey has also continued to upgrade its military presence on Cyprus despite the fact that the Republic of Cyprus decided recently not to deploy Russian S–300 missiles on Cyprus. The TRNC has further blocked progress by setting two preconditions for the resumption of peace talks by requiring the recognition of the ''TRNC'', and the withdrawal of Cyprus' application for membership in the European Union. Neither of these are acceptable to the Republic of Cyprus, and only serve to continue to block any kind of possible resolution.

I therefore call on this Administration, in this 25th year, to take a hard sand on Cyprus, to help enable the people of Cyprus to live under a government chosen by their people. The United States must take the lead in finding a solution to Cyprus, and demonstrate to the world that people of different ethnic backgrounds and religious beliefs can successfully coexist. The people yearn for it and the country needs it.

Mr. BLAGOJEVICH. Mr. Speaker, it has been twenty-five years since Turkish Troops invaded Cyprus, tearing that nation in two. And for those twenty-five years, the world community has repeatedly denounced the illegal Turkish invasion. Through various United Nations' resolutions, joint communiques, and other diplomatic statements, nations around the globe have sent the clear, unequivocal message that the Turkish occupation of Cyprus is patently illegal and must end.

Nonetheless, Turkey continues to arrogantly ignore this unified message. Turkey chooses instead to complain that the world community is biased against it, but nothing could be further from the truth. The world community is simply asking that Turkey abide by the same obligations that all other peace-loving states accept. If Turkey expects to enjoy the privileges of a responsible member of the world community, it must also accept the responsibilities that come with this status.

The time has come, Mr. Speaker, for the United States to say enough is enough. We can no longer continue to ignore the fact that Turkey flaunts the very values which America has fought wars to protect: namely democracy, human rights, and the sanctity of national borders. I urge the Administration to use all possible leverage to bring Turkey, like the rest of our NATO allies, into the fold of responsible, peaceful, democratic nations. This can only happen by bringing Turkey's occupation of Cyprus to an end.

Mr. PORTER. Mr. Speaker, I want to thank the gentleman for Florida (Mr. BILIRAKIS) and the gentlelady from New York (Mrs. MALONEY) for organizing this special order.

Mr. Speaker, I rise today to once again add my voice to that of many others demanding the reunification of Cyprus. Twenty-five years is twenty-five years too long for our voices to go unheard.

Defense Secretary Cohen said last week that he welcomes both sides of this conflict coming to the table to negotiate a settlement. What he did not say is that the Greek Cypriots have always been at the table. It is the Turkish Cypriots who have refused to negotiate until northern Cyprus is recognized as a sovereign nation. No country, except Turkey, has ever recognized northern Cyprus and no country should or ever will.

Turkish Cypriot leader Rauf Denktash has defined himself, his side and Turkish policy by consistently obstructing reunification. In doing so, he consigns Turkish Cypriots to third class status—consigns the Turkish Cypriots to a standard of living far below those of the Republic of Cyprus, a status equal to that of most developing nations.

Approximately 35,000 Turkish troops have occupied northern Cyprus for twenty-five years. During that time, Turkey's government has shown what it is. It is not a democracy. It is a military dictatorship, in which the generals allow as much democracy as they want.

The Clinton Administration has clearly shown that its policy is one of not leaning on Turkey. It supports Turkey's application to the European Union even as Turkey continues to illegally occupy Cyprus, continues to persecute its Turkish population, continues to spurn normal relations with Armenia and continues to defy our policy of working with the Iraqi opposition to overthrow Saddam Hussein.

The time has come for the U.S. to tell Turkey to sit down and negotiate on Cyprus. It is time for the Congress to send a message to the generals, to Rauf Denktash, and to President Clinton—Twenty-five years is twenty-five years too long.

Mr. HORN. Mr. Speaker, most Americans and, indeed, most of the world, are remembering the historic landing on the moon by our brave astronauts 30 years ago today. This event will be remembered as one of the greatest events of this century and this millennium not only for the sheer technological leap that made it possible but also for the finest qualities of mankind that the journey to the moon exemplified. When one thinks of July 20th, one wants to believe in the best for mankind.

Sadly, July 20th is also the anniversary of an occasion far less noble and inspiring. Twenty-five years ago, Turkey invaded Cyprus took control of almost 40 percent of the island. In the wake of Turkey's attack, 1,619 people—including five Americans—disappeared. Their fate remains unknown.

Today, Turkish troops continue to occupy the northern portion of Cyprus, maintaining thousands of troops there in an affront to diplomacy and international law. Barbed-wire cuts across the Island separating thousands of Greek Cypriots from the towns and communities where their families had lived for generations.

On a day when we remember the wonder and bravery of the moon landing, we must not forget the shame and cowardice of the illegal occupation of northern Cyprus. I join my colleagues here today in the hope that we will soon be able to remember the best of this century without a reminder of the worst.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I would like first to thank my colleague from Florida, Mr. Bilirakis, for this special order to commemorate and acknowledge the 25th anniversary of the Turkish occupation of the island of Cyprus.

In the past decades we have witnessed many human rights violations such as in Kosovo and in East Timor. This has to change and this commemoration is a step towards change in Cyprus. The United States needs to show our strong support for a unified Cyprus. Until we bring about change, Cyprus and its people will continue to live divided into an island that has a North that is occupied by Turkish troops and an independent South.

There is no reason why the Cypriots should become refugees in their own country or denied access back to their homes. July 20, 1974, was a dreadful day for the Cypriots. Many, until this day, do not know what happened to their families on that day.

We have seen many changes around the world in the past years: The fall of the Berlin Wall, the beginning of peace in the Middle East, and the signing of a peace agreement in Northern Ireland. It is now time that Cyprus becomes part of the list so that freedom can prevail.

I urge my fellow colleagues join in support for a unified Cyprus so that the necessary changes will occur.

Mr. BONIOR. Mr. Speaker, it has been 25 years since the Turkish invasion of Cyprus. In 1974, Turkish troops evicted 200,000 Greek Cypriots from their homes, making them refugees in their own country. And yet, the elapsing of a quarter century has not darkened the memory of the invasion. Turkey's continued violation of the Greek Cypriots' human rights, and the need for the reversal of Turkey's actions and a return to peace remains as strong today as it did in 1974.

For 25 years, Turkey has fought to increase its grip on Cyprus. In violation of international law, Turkey has moved more than 80,000 settlers into the ancestral homes of the Greek Cypriots. A campaign of harassment and the destruction of cultural sites has been used to intimidate the Greek Cypriots.

Despite these abuses, the people of Cyprus struggle to seek a way for peace to grow. The Cypriot Government called for the demilitarization of Cyprus, even with the threat of the Turkish army occupying 37% of the island's territory. Cyprus sought to advance and develop by applying for membership to the European Union. Even as it is constantly confronted with uncertainty and instability, the Cypriot Government acts in the best interest of its people.

The threat of force and noncompliance are used by Turkey to delay a peaceful resolution, even when the world community is calling for peace.

This spring the members of the G–8 and the UN Security Council again called for negotiations for peace in Cyprus. To the international community, the bitterness over the invasion of 1974 remains as strong today as it did 25 years ago. For the Greek Cypriots, who struggle to move forward underneath the burden of human rights violations and refugee status, the desire for peace is unending. In the name of democracy and in the defense of human rights, we must continue to support the people of Cyprus in their efforts to bring peace and stability back to their country.

Mr. GILMAN. Mr. Speaker, I commend the gentleman from Florida, Mr. BILIRAKIS, who has over the years assured us that this House does not fail to observe the events of July 1974 whose tragic consequences still persist today a quarter of a century later.

The occupation of northern Cyprus by Turkish troops, which began some twenty-five years ago, has turned into one of the most vexing problems of the international community. It has confounded the efforts of five U.S. Presidents, four United Nations Secretaries General, and many of the world's top diplomats, including our own. Even the strong efforts last year of Ambassador Richard Holbrooke and Ambassador Tom Miller ran into a brick wall as Mr. Denktash, backed by the Turkish government, came up with new conditions before they would agree to resume negotiations with President Clerides. These conditions, as the Turkish side well understood, were non-starters—the Turks insisted that northern Cyprus be regarded as a sovereign entity, and the government of Cyprus halt negotiations on joining the EU.

Although we are all disappointed that the hard-fought efforts of our envoys did not produce a breakthrough, we call upon our government and the international community not to abandon efforts to break the impasse. I agree with their assessment that the impasse is a result of the Turkish position, and that the key to breaking the current stalemate lies in Ankara. The Secretary General's invitation to the leaders of the two sides to begin talks on all the issues, without preconditions needs to be reinforced by our and other interested governments.

The situation in Turkey is exceedingly complex: The recent elections have produced a coalition government whose partners are odd bedfellows—Center Left, Center Right with a junior member that has never been in government before but has espoused a radical and violent form of ultra-nationalism in the past. It is not likely that such a government will be strong enough to make the necessary compromises, and indeed we have already heard statements from Prime Minister Ecevit that he believes that the Cyprus problem no longer exists, that the the status quo is the solution. We don't know how to put the appropriate pressure on Turkey without giving the negative influences within Turkish society grounds to say that we have turned our backs on Turkey and are not truly interested in its integration into Europe and the West.

The comments that the present situation on Cyprus—division of the island and 35,000 Turkish troops in occupation of one third—is the solution are completely unacceptable for the United States and the international community. It should also be unacceptable to Turkey because if partition is good for Cyprus, then why not for northern Iraq, or even the Kurdish areas of Turkey itself? Obviously the officials who make these ill-advised statements have not thought through the implications of partitioning Cyprus.

When I came to the Congress some twenty-seven years ago, Cyprus was one of the first international crisis that I became involved with as a member of our Foreign Affairs Committee, as it was then called. It is one of the most frustrating facts that I face as I look back on my time in the House, that now after a quarter of a century, during which we have seen the collapse of communism in Europe, greater peace in the Middle East, a possible settlement in Northern Ireland, and conflicts resolved in the Balkan tinderbox, but no movement on Cyprus!

Although we have hit a serious obstacle to progress, The United States has no choice but to continue our efforts to get serious negotiations between the parties on Cyprus resumed. I thank the gentleman for allowing me to participate in this Special Order.

Mr. DEUTSCH. Mr. Speaker, I rise today to commemorate the 25th anniversary of the invasion and forcible division of Cyprus. One quarter century after Turkish troops occupied Cyprus, beginning an unfortunate pattern of human rights violations, violence, and forcible evictions, thousands of Greek Cypriots are still unable to return to their ancestral homes, hundreds more are missing, and precious cultural and religious sites have been irreparably damaged.

I believe, however, that renewed interest in the plight of occupied Cyprus will lead to positive diplomatic developments in the near future. Just last month, the leaders of the G–8 urged the U.N. Secretary General to invite the two sides to participate in comprehensive negotiations. The U.N. Security Council followed suit, adopting one resolution echoing this sentiment and another reiterating its commitment to a final settlement which restores the territorial integrity and independence of Cyprus.

It is my hope that in upcoming meetings, President Clerides of the Republic of Cyprus and Mr. Denktash of the Turkish Cypriots will honor both the spirit and letter of these resolutions, negotiating in good faith to reach a solution which will restore peace, freedom, and security to Cyprus.

I urge all of my colleagues to continue their drive for a resolution to the problems plaguing Cyprus these 25 years. We are faced with an historic opportunity to reinforce the support for a settlement shown by the international community, and to bolster our allies in Greece and Turkey in their quest for peace. We must continue to keep the peace process in Cyprus at the forefront of our foreign affairs agenda if we are to put an end to a quarter century of terrible injustice for the people of Cyprus.

Mr. MARTINEZ. Mr. Speaker, I join my friend, the distinguished gentleman from Florida, and my colleagues in commemorating the 25th anniversary of Turkey's military invasion and continued illegal occupation of northern Cyprus.

On July 20, 1974, Turkey invaded northern Cyprus, forcing more than 200,000 Greek Cypriots from their homes. Turkey's bloody invasion forced one-third of the population of the island to live as refugees. A quarter century has since passed and Turkish troops still occupy nearly 40 percent of the island in defiance of a myriad of U.N. resolutions.

Mr. Speaker, the 25th anniversary of Turkey's military occupation of northern Cyprus weighs heavily on the conscience of all civilized peoples of the world who share in the

fundamental principle that military aggression must not prevail.

Mr. Speaker, the status quo must be broken. The paralysis in U.N. sponsored negotiations must be broken. And the intercommunal strife that has torn Cypriots apart must be settled peacefully. But none of these worthy objectives can occur as long as Turkey continues to violate international law and flout U.N. resolutions condemning its oppressive occupation of 40 percent of Cypriot territory.

It is indeed a sad testament to Turkey's intransigence that a quarter of a century after its invasion of northern Cyprus, it still maintains tens of thousands of troops on the island. Turkey must realize that its military occupation of northern Cyprus stands as an obstacle to a just and permanent solution of the Cypriot problem.

Mr. Speaker, any permanent solution to the Cypriot impasse must take into consideration the anxieties and legitimate concerns of both Greek and Turkish Cypriots. However, the first step toward reconciliation and peaceful reunification must be the end of Turkey's illegal occupation of northern Cyprus.

Mr. COYNE. Mr. Speaker, I rise to commemorate the 25th anniversary of the invasion of Cyprus by Turkish military forces.

Despite overwhelming condemnation from the international community, Turkish forces have occupied northern Cyprus for the last 25 years. On July 20, 1974, Rauf Denktash, supported by over thirty thousand Turkish troops, took control of 37 percent of the island and proclaimed it to be the Turkish Republic of Northern Cyprus. During the invasion, Turkish troops murdered over 5,000 Greek Cypriots, evicted 200,000 Greek Cypriots from their ancestral homes and captured five Americans and 1,614 Greek Cypriots, all of whom, with just one exception, are still missing.

The United Nations has always recognized the Greek Cypriot government as the legitimate government of the island, while Turkey remains the only country that recognizes Mr. Denktash's government and supports it with a strong military scattered throughout the northern third of Cyprus. The Turkish Cypriot government has repeatedly refused to negotiate a peaceful solution to the conflict.

In the past years, the international community has attempted to encourage Turkey to alter its policy on the Cyprus conflict. Most recently, the United Nations Security Council passed resolutions in December of 1998, calling for a staged process aimed at limiting and then substantially reducing the level of all troops and armaments on Cyprus. Furthermore, the United Nations has advised that for there ever to be lasting peace on the island, a Cyprus settlement must be based on a Cyprus with a single sovereignty, a single international personality, and a single citizenship.

Mr. Denktash, however, has rejected these UN resolutions on grounds that the Turkish Republic of Northern Cyprus should be recognized by the international community as a legal and sovereign state. Denktash has also refused to meet with the internationally recognized president of Cyprus, Glafcos Clerides, until his Turkish Cypriot state is recognized as independent.

It is my belief that the international community must persuade the Turkish government—Rauf Denktash—to resume negotiations and to work diligently toward a peaceful solution to this 25 year old conflict. The United States must make it clear that it is willing to use foreign aid, sanctions, and its power as a member of several international organizations to elicit a resolution. Mr. Speaker, we must acknowledge our position as a world leader and remain firmly committed to promoting peace and reconciliation on the island of Cyprus.

Mr. MCGOVERN. Mr. Speaker, this year marks 25 years of continued injustice, 25 years of human rights violations, the displacement of people from their homes, of ethnic cleansing. This year marks the 25th year of Turkey's illegal invasion of northern Cyprus, the division of an island, a community, a culture, and a religion more than 9,000 years old.

In the last 25 years, about 40,000 Turkish troops have been stationed in Cyprus; 85,000 Turkish colonists have been moved to northern Cyprus, where they live in the houses of the more than 200,000 Cypriots forced out of their homes. We must all ask ourselves why such an unjust situation has been allowed to persist for a quarter of a century.

After 25 years, some might be tempted to throw in the towel, to become resigned to the Turkish occupation. After 25 years, some might feel that the international community is helpless to act in the face of such aggression and injustice. But they would be wrong. The United States and its international partners must not adopt such an attitude. For the cause of a united and free Cyprus is not lost. And it is important, now more than ever, for all of us to continue and strengthen our support for a peace agreement in Cyprus. Members of this House must continue to pressure the Administration to urge the Turkish government to reach a peace agreement. To date, Turkey has rejected every attempt to move forward on a peace settlement.

There is reason, however, to hope that peace can be achieved. Both Turkey and Cyprus have applied for admission to the European Union. Turkey is bitter that their application has been rejected, while Cyprus is close to being accepted into the EU.

It would serve Turkey well to reflect on how its own actions work against its acceptance. For example, the Turkish Cypriot community was invited by the government of Cyprus to participate in the Cyprus-EU negotiations; they declined the invitation. Turkey has made no effort to come to an agreement, and has recently made the situation more difficult to resolve. Turkey has established a puppet government on Cyprus, that is not recognized by any other nation except Turkey. Turkey has increased its military presence on Cyprus, retains a large armor advantage over the Cypriots, and threatened military action. Cyprus, on the other hand, does not even have a Navy, Army or Air Force, and only maintains a small National Guard.

The United States and the international community must take greater action. A moment of opportunity exists with the desire of Cyprus and Turkey to enter the European Union. We must live up to the promises we have made to the people of Cyprus. The acceptance of Cyprus into the European Union will benefit all the communities of Cyprus. We should strive to see a united Cyprus join the EU and have that action serve as a catalyst for regional economic, political and humanitarian advancement. A step in that direction is continuing the $15 million in U.S. assistance for bi-communal projects and scholarships in Cyprus.

I urge my colleagues to join those of us who are members of the Congressional Caucus on Hellenic Issues to work more forcefully than ever to achieve a peaceful resolution to the conflict in Cyprus, to help return to their homes the some 200,000 Greek-Cypriots who were evicted from their land, to demilitarize the Turkish forces in northern Cyprus, and to find out the fate of the 1,614 Greek-Cypriots and the 5 American citizens who have been ''missing'' since the Turkish invasion.

I want to thank Congressman BILIRAKIS and Congresswoman MALONEY for their leadership on and dedication to this issue. I know they hope, as I do, that next year we will gather together on the floor of this House to praise a peace agreement for a united Cyprus.

Mrs. KELLY. Mr. Speaker, I rise today to join with my colleagues in marking the 25th Black Anniversary of Turkey's invasion of the island of Cyprus. On July 20, 1974, the government of Turkey sent troops to Cyprus and forcefully assumed control of more than one-third of the island. This action dislocated nearly 200,000 Greek Cypriots, forcibly evicting them from their homes and creating a refugee problem that exists to this day. Additionally, over 1600 Greek Cypriots are still missing or unaccounted for as a result of this brutal invasion.

The Turkish Cypriot community has continually shown its unwillingness to move toward a negotiated settlement with their Greek neighbors. The removal of the roughly 35,000 Turkish troops from the island of Cyprus is central to any such agreement, as is compliance with the previously agreed upon parameters for any solution. However, the Turkish government is doing the exact opposite. They have continued their arms buildup on the island, have abandoned reconciliation efforts begun on a bi-communal grassroots level, have added two new preconditions for resumption of the peace talks and are now seeking the creation of a confederation of two sovereign states. The net result of these actions is to make any sort of rapproachment all the more unlikely.

The Greek Cypriots, have continually demonstrated their flexibility and willingness to compromise in order to bring an end to this long-standing dispute. The Cyprus government has made numerous gestures of goodwill in an effort to move the peace process forward. In the last year, they have canceled the deployment of a Russian defensive surface-to-air missile system on Cyprus in an effort to head off any escalation of this conflict. In addition, Cyprus has continued to comply with the preconditions established by the United Nations Security Council resolutions, and has even put forth a plan for demilitarization of the island.

However, these efforts have failed to produce any movement toward an agreement. The U.S. government must again take bold steps to show its continued resolve to the Turkish government that it is serious about moving toward peace on Cyprus. In this regard, I am pleased to be a cosponsor of House Concurrent Resolution 100 urging the compliance by Turkey with United Nations resolutions relating to Cyprus. It is essential that the United States and the entire international community continue to work for the long awaited resolution to this tragic event.

Mr. Speaker, it is with decisive steps such as these that we can begin to hope for a brighter future for Cyprus. I wish to commend

the Gentleman from Florida. Mr. BILIRAKIS, for his steadfast work in this area. I look forward to working with him, and all my colleagues who share our concerns, to achieve a unified and peaceful Cyprus in the future.

Mr. WEYGAND. Mr. Speaker, 25 years ago today, Turkish troops advanced into the Republic of Cyprus and forcefully occupied the island. Today, Cyprus remains divided with heavily armed Turkish troops occupying approximately 37 percent of the Island. Over the past twenty five years there have been signs of hope only to be shattered by statements or displays of aggression resulting in increased tensions and little progress toward resolving the conflict over Cyprus.

Last month, the G–8 countries, at their meeting in Cologne, urged the UN to encourage the resumption of negotiations, stalled since 1997, in the Fall of this year. As a result, the UN Security Council passed resolution 1251 calling for ''. . . all States to respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, and requesting them, along with the parties concerned, to refrain from any action which might prejudice that sovereignty, independence and territorial integrity, as well as from any attempt at partition of the island or its unification with any other country.''

The Republic of Cyprus has on many occasions offered an olive branch to end this conflict. The Republic of Cyprus has offered to demilitarize the entire island, and has canceled an order of a surface-to-air missile system. Turkey has rejected these overtures and in fact continues to upgrade its military presence on Cyprus and seeks to purchase $4 billion worth of attack helicopters.

Mr. Speaker, throughout its history the United States of America has stood firmly against the forces of oppression and aggression across the globe. We should continue to advocate and support a peaceful resolution to the problem in Cyprus. As a cosponsor of H. Con. Res. 80, I continue to urge the President to take steps to end the restrictions of freedoms on the enclaved people of Cyprus by the Turkish-Cypriots and to work with our allies to peacefully resolve this unfortunate situation.

As the millennium is upon us, it is my sincere hope that we will see significant progress toward a unified Cyprus obtained by peaceful means. This can only improve the economic and political stability of the region, which is undoubtedly in the national security and economic interests of the United States.

Ms. STABENOW. Mr. Speaker, I rise today in recognition of the 25th anniversary of the invasion of the Republic of Cyprus. Since the beginning of this invasion, nearly 20,000 Greek Cypriots have been evicted from their homes and forced from the land where they worked, lived, and raised their families for over 9,000 years.

Today, less than 1,000 Greek Cypriots reside in Northern Cyprus, even though a 1975 humanitarian agreement would have allowed 20,000 Greek Cypriots and Maronites to stay in Northern Cyprus. It is truly a tragedy that so few of the original residents of Northern Cyprus remain in their homeland. The basic rights that we take for granted in the United States have been denied to these citizens.

Now, 25 years after this tragedy, I hope that a resolution can be found that will reunify this island nation that has been torn apart for so long. I join the call of Glafcos Clerides, the President of the Republic of Cyprus, who on Sunday called upon all in Cyprus to strive for a settlement that will ''heal the wounds of the past.'' Mr. Speaker, I stand before you today in hopes that a settlement will be found, one that will bring lasting peace and unity to the entire Island of Cyprus. After 25 years, we must remember the suffering this invasion has caused, and strive for a peaceful future in Cyprus.

Mr. CAPUANO. Mr. Speaker, today marks the 25th anniversary of a tragically historical point in Greek-Turkish-Cypriot relations. On July 20, 1974, Turkish troops began a campaign to forcibly evict nearly 200,000 Greek Cypriots from their homes in the northern part of the island of Cyprus. During the invasion, more than 1,600 men, women and children vanished, and to this day, the Turkish government refuses to provide information as to their whereabouts. After twenty-five years, Greek Cypriots are still prohibited from returning to their homes and remain refugees within their own country.

Turkey has actively worked to change the demographic structure in Northern Cyprus by resettling 80,000 Turkish citizens there, mostly in the homes of evacuated Greek Cypriots. Additionally, in 1983, Turkey encouraged a ''unilateral declaration of independence'' by the Turkish Republic of Northern Cyprus (TRNC). This declaration was condemned by the U.N. Security Council, as well as the U.S. government. To date the TRNC is not officially recognized as a sovereign State by any country except for Turkey.

In light of the recent atrocities against the Kosovar people, it is time to confront the Turkish aggression against Greek Cypriots. With several failed attempts at a peaceful settlement on the island, the Greek Cypriots continue to suffer. The few remaining Greek Cypriots living in the TRNC are forbidden to attend school or work, seek medical assistance, or visit families living in the Republic of Cyprus. In blatant violation of international laws, Turkey has subjected these people to harassment and intimidation and violated their basic human rights.

Despite the continuing efforts on behalf of the U.S. and the international community to negotiate a peaceful settlement, 35,000 heavily armed Turkish troops continue to occupy more than one-third of the island. In an interview on Turkish television this past Sunday, July 12, a government official claimed that ''the Cyprus problem ceased existing after the creation of the Turkish Cypriot state,'' and that ''the entire world has to understand the reality of an independent Turkish state on Cyprus.''

Clearly, Mr. Speaker, this is an affront to countless .U.N resolutions calling on Turkey to withdraw its forces and return all refugees to their homes, and for Turkey to respect the sovereignty, independence, and territorial integrity and unity of the Republic of Cyprus. This is an insult to the United States and the global community which has worked tirelessly to unify Greek and Turkish Cypriots in a peaceful manner.

In light of the recent remarks by the Turkish Government, we must reflect upon the tragic incident that occurred 25 years ago when Turkey illegally invaded the Cypriot island. Despite these setbacks, the U.S. and the international community must continue to work to find a peaceful solution to this conflict that has torn Cyprus apart.

## CONDEMNING THE TURKISH INVASION OF CYPRUS

Mr. GEKAS. Mr. Speaker, today I rise to remember 25th ''black anniversary'' of the Turkish invasion of Cyprus. Even today, an estimated 35,000 troops from Turkey continue to occupy 37 percent of Cyprus' territory.

This invasion was a violation of international law that resulted in the forced eviction of nearly 200,000 Greek Cypriots, making them refugees in their own country. These individuals are still unable to return to their homes. 1,618 Greek Cypriots, including four Americans of Cypriot descent, have been missing since the Turkish invasion, and their fate is still unaccounted for. Additionally, the Turks destroyed Byzantine churches and plundered much of Cyprus' rich 9,000 year-old cultural and religious heritage.

The United Nations has issued several resolutions calling for the withdrawal of all foreign forces from the island, the return of the refugees to their homes and respect for the sovereignty, independence, territorial integrity and unity of the Republic of Cyprus. Despite these pleas, the government of Turkey in 1983 set up a puppet government in the area under its military occupation and effectively seceded from the island Republic, calling itself the Turkish Republic of Northern Cyprus. Turkey is the only nation to recognize this ''republic''.

The Cyprus government, over the course of the last 25 years, has attempted to each out to the Turkish Cypriot community through dialogue, bicommunal contacts at local levels, and offers to cooperate in negotiations regarding Cyprus' accession to the European Union. Unfortunately, all efforts have been rebuffed.

After a quarter of a century of failed efforts to end this illegal military occupation of over a third of the sovereign territory of the Republic of Cyprus, hope is in sight. The international community is calling for a new round of comprehensive negotiations this fall to find a settlement reuniting the island in one federal, sovereign state. It is obvious that the pressure of the international community on rogue governments can yield positive results. One need only to look upon the recent NATO action in Kosovo to realize that the international community has the diplomatic wherewithal to forge a successful solution to this crisis; all that is needed is the will. For the sake of peace and stability in the region and the world at large, now is the time for a just and lasting peaceful resolution.

Mr. MCNULTY. A 25th anniversary is supposed to be a happy occasion. Not so for the Greek-Cypriots. For them it marks the forcible division of Cyprus and the invasion of their beloved island by Turkey in 1974.

In the last quarter century, Turkish invaders forced nearly 200,000 Greek Cypriots from their homes to become refugees in their own land.

For example, the 1975 Vienna III Agreement would have permitted 20,000 Greek Cypriots and Maronites to remain to live normal lives in the Turkish occupied Karpas Peninsula and the Maronite villages. Today, only 500 enclaved Greek Cypriots and 160 Maronites are in the occupied area.

There are reports of all kinds of harassments and violations of civil rights and liberties, including the destruction of Byzantine churches and other places of worship. Turkish restrictions abound—on travel, education and religious practices.

This situation is unacceptable.

And yet, despite all the Turkish abuses, the Government of Cyprus continues to reach out for a peaceful solution.

The Greek Cypriots want peace. Recently, the United Nations Security Council adopted resolutions 1217 and 1218, calling for a peaceful, just, and lasting solution to the Cyprus problem. The United States Government wholeheartedly supports these resolutions and is committed to taking all necessary steps to help in its achievement.

In the final analysis, only the parties to a dispute can settle it. Ultimately, it will be Cyprus and Turkey who will have to agree on a settlement.

The Government of Cyprus is willing to come to the negotiating table.

I urge our Government to continue to press ahead to persuade Turkey to comply with the Security Council resolution and to come to the negotiating table to work out a solution to this nettling problem.

There is no quick fix to the Cyprus problem. But we must persevere.

A solution can only benefit the entire Mediterranean region.

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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.)

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The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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## TAX CUTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. KUYKENDALL) is recognized for 5 minutes.

Mr. KUYKENDALL. Mr. Speaker, tonight I rise to speak about our most recent tax cut that was put in place, and also to discuss what I think was the key element of that passage, that is, the trigger that was added in on the last round of amendments that were put in place.

Mr. Speaker, we have had projections that are almost mind-boggling when we look at the dollar amount of these surpluses we are projecting into the future. If we do not count the Social Security surplus, but just in our other accounts, we have nearly $1 trillion worth of surplus projected. Now, with that number being projected, our tax cutters looked at it and said, well, we would like to give 80 to 90 percent of that back to the American public in the form of a tax cut.

I, for one, fully agree with giving back tax dollars that are that much in surplus to those needed to run our government functions. However, when it is done on a 10-year forecast, there is risk involved in how accurate that forecast may be. And as I looked at that, I said we need to do something to protect the tax cuts and, at the same time, ensure that we continue this path of paying down public debt.

In doing so, we came to a triggering mechanism. And the trigger works in the fashion that if we are not continuing to pay down the debt, we will not take the tax cut that year. It is a simple mechanism. Just how much interest are we paying on the debt? If that number does not get smaller each year, then we will pay more down on the debt and not have a tax cut that year.

The trigger mechanism is very important because it allows us to very responsibly manage the affairs of this government's finances by paying down our debt and reducing taxes, but not doing one at the exclusion of the other.

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

Mr. KUYKENDALL. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Speaker, I would like to thank the gentleman for yielding to me, because a number of us were instrumental in helping to write this trigger.

On Friday, Mr. Speaker, I was reading the Wall Street Journal and there was a story in there and in it apparently Alan Greenspan, the chairman of the Federal Reserve, was asked before the House Committee on Banking and Financial Services what he thought about this trigger and he said this: ''I think that the notion of using a potential trigger is essential,'' Greenspan said. He further went on to add that using the surplus to reduce the Federal debt is ''an extraordinarily effective force for good in this economy.''

He signed onto this. In essence, what the trigger is, it is a stoplight. If what the OMB and the CBO folks say is correct in terms of the expectations of where we are going to be with the budget surplus, things happen the way they say, and the debt, in fact, is coming down, $5.5 trillion is what it is today, the tax cut goes forward.

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But if, in fact, something happens, if interest rates go up, if spending goes up, and, in fact, the amount of money needed to service the Federal debt goes up rather than declines, the red light goes on. So it is a safety valve. And it also is going to serve as a break on additional spending as well.

So I think that this was a very important measure that a number of us fought for. And furthermore, today I know a number of us communicated to our leadership that we are hoping that the Senate certainly adds this provision in their tax bill that they are debating this week. And if they are not able to get it included, then at least maybe in the conference, when we iron out the differences between the House and the Senate, that certainly the House would prevail on this making sure that the taxpayers are protected by making sure that this trigger device stays in effect.

I applaud the leadership of my colleague on this. It was important as a number of us met with Republican leadership and others. It is a trigger with real teeth. It is going to do the right thing, and that is what we are here for.

Mr. KUYKENDALL. Mr. Speaker, reclaiming my time, I appreciate that comment.

I think the important part of this is, I have used the phrase ''responsible.'' I think it is also discipline that it imposes upon us as a Government.

I came from local governments and State governments where our budgets had to be balanced, and we could not issue debt unless we were asking the voters to approve it. But we do not do that here. We play that role ourselves.

In this case, we have imposed a discipline with this particular triggering mechanism that I think it is essential that it come back in the conference version of this bill. And it is important, I think, that our colleagues on the Senate side hear that, as well.

We have a mechanism now that will impose discipline, give us responsible Government, control the debt, and still allow almost $800 billion worth of tax cuts.

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## ON ROBERT M. TOBIAS, PRESIDENT OF NTEU

The SPEAKER pro tempore (Mr. TANCREDO). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, in 1995, the National Treasury Employees Union, along with other Federal employee and retiree organizations, defeated the first attempt by the 104th Congress to raise Federal employees' retirement contributions and reduce their pension.

At a press conference celebrating the victory, the NTEU national president, Robert Tobias, is quoted as saying, told over 500 Federal employees in attendance, ''You promised to serve the public with honesty. You promised to work hard. You promised to serve the public. And in return, you were promised fair treatment and fair pay. It sounded like a fair deal. You kept your word. Now we're asking Congress to keep its word.''

Bob Tobias has spent the last 31 years making sure that the executive branch and Congress keep their promises to Federal employees. He has used lawsuits as a way to further Federal employees' causes and to escape the narrow confines of Federal collective bargaining.

He has testified before the Subcommittee on Civil Service on behalf of the 155,000 Federal employees NTEU represents on numerous cases.

Mr. Tobias is a leading authority on Federal employees' issues and by extension has expanded his union's lobbying power on Capitol Hill.

In the last 20 years, Mr. Tobias has been involved in the development of a Federal employees retirement system, FERS, protecting Federal employees' health benefits program, restructuring the Internal Revenue Service, advocating for closure of the pay gap for Federal employees, and he worked with Vice President GORE to create labor-management partnership councils across the Government.

Mr. Tobias is leaving the NTEU to embark on a second career, writing, teaching, and educating a new generation on public policy. Given Mr. Tobias' history, this is probably an attempt to train future politicians on how to vote on Federal employees issues before they get to Capitol Hill.

As ranking member of the Subcommittee on Civil Service and on behalf of all Federal employees in my congressional district and throughout this wonderful country, I wish you the best, Mr. Tobias, in your future endeavors.

## ROBERT M. TOBIAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania, (Mr. COYNE) is recognized for 5 minutes.

Mr. COYNE. Mr. Speaker I rise today to observe the retirement of Mr. Robert M. Tobias. Mr. Tobias will retire as National President of the National Treasury Employees Union when his term expires in August.

Mr. Tobias has been the NTEU's president for the last 16 years. Prior to his service as president of the NTEU, he served the union as its executive vice president and general counsel. Mr. Tobias worked successfully to expand the NTEU's membership from 20,000 to 155,000. His tenure has also been marked by major steps forward in the treatment of federal employees. As a result of his efforts NTEU has negotiated alternative work schedules, flexiplace work arrangements, monetary performance awards, and on-site child care arrangements for federal employees. He was also involved in the successful court battle to overturn the ban on speaking and writing honoraria for federal employees. Mr. Tobias also helped to create innovative labor-management partnerships which resulted in greater productivity and customer satisfaction at the Internal Revenue Service.

Mr. Tobias was also appointed to serve on the Federal Employees Salary Council, the National Partnership Council, the Commission to Restructure the IRS, the Federal Advisory Committee on Occupational Safety and Health, the Executive Improvement Team at the U.S. Customs Service, and, most recently, the IRS Oversight Board. I had the honor to serve with him on the IRS restructuring commission in 1997, and I can vouch first-hand for the hard work and dedication that he put into the commission's efforts to provide Congress with recommendations for improving IRS organization and management. Mr. Tobias has also testified many times before the House Ways and Means Committee, on which I served, and I can honestly say that his testimony was always informative and helpful to the Committee in its efforts to improve the operations of the IRS.

My constituents in Pittsburgh who are part of NTEU's Chapter 34 are pleased to have worked with Mr. Tobias as well.

Mr. Tobias serves on the board of directors of American Arbitration Association and is co-founder and treasurer of the Federal Employees Education and Assistance Fund.

On behalf of my constituents, my colleagues on the IRS restructuring commission, the House Ways and Means Committee, and myself, I want to thank Mr. Tobias for his many years of service and wish him all the best as he pursues new challenges and opportunities in the coming years.

## TRIGGER FOR DEBT/TAX REDUCTION

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 wish to make comments today on the importance of not only a tax reduction but a reduction in the Federal debt and the trigger that we imposed within the tax bill to help assure that both happen.

America's tax burden is the highest in the history of the Republic, not only in nominal terms but in actual percentage of income.

Our Government has grown so large that if we repeal the entire income tax today, the total income coming into the Federal Government would still be as large as it was just 10 years ago. If we did away with the total income tax, other revenue coming into the Federal Government would be as much as the total revenue in 1990. It is past time for Americans to receive some relief from their ever-expanding tax burdens.

Now on the issue of debt. At the same time, our Nation's debt stands at 5 trillion, 600 billion dollars. The interest expense on the debt last fiscal year was larger than the entire Federal budget in 1972. Interest on the Federal debt last year was larger than the entire Federal budget in 1972.

A reduction in the debt would reduce interest rates and encourage economic expansion. It would also reduce the chances that our kids are going to have to pay huge taxes to make up for the over indulgence of their parents and grandparents as we spend and spend a bigger and bigger Government.

While the need for both tax reduction and debt reduction is obvious, a major difficulty facing Congress is the proper mix. Economists from the time of David Ricardo in the 19th century to today disagree on the relative effect of tax reduction and debt reduction on the economy.

However, the important thing is to keep Government from turning into what Thomas Hobbes called a ''leviathan,'' an ever-hungry monster gobbling up the Nation's resources.

Last week it became apparent that a conflict of opinion about the size of the tax cut relative to the debt reduction jeopardized the passage of any tax relief.

It was at that point that I recalled experience that the State of Michigan has had in allowing both sides of an issue such as this to get their way.

Back in 1983, I was part of an effort, a tax rate reduction, that we would gradually tie to a certain target to make sure that tax reduction occurred. This year in Michigan, we tied a tax cut to economic conditions in a manner nearly identical to what I proposed in this House last week.

What I proposed and what the gentleman from California (Mr. KUYKENDALL) proposed and what the past House passed was tax reduction tied to our efforts to reduce the debt. Specifically, income tax rate would be reduced gradually in stages over 10 years. But if the interest expense on the Federal debt is not less than the prior year's interest expense, then the next stage of the reduction would be postponed.

The concept is that those who are afraid that tax cuts may lead to greater debt and, thus, greater interest expense would have an automatic hold on further tax cuts until interest expenses went down.

Those who felt and predicted tax cuts are going to spur greater economic growth and, therefore, bring in more revenue and pay down that debt and, therefore, lower the interest rates would get the full tax cut proposed in the original bill.

While the trigger is probably not the perfect trigger, it accomplished the goal of moving the process forward both on reducing the debt and reducing taxes. The concept of using a trigger to allow both sides of the issue to really put your money where the other person's mouth is is a concept of win-win.

It may be crucial to the final passage of this bill that will be acceptable to the White House as well as this House as we review what comes out of conference committee.

I will continue to work this week on perfecting the trigger mechanism since this House, the Senate, and the President must agree on the final outcome before it becomes law.

Debt reduction is important to strengthen the economy and taking the pressure off our kids and grandkids, and tax reduction in a system that has the highest tax rates in history is in need very desperately of the kind of tax cuts that leaves money in the pockets of the people that earn it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. UPTON) is recognized for 5 minutes.

(Mr. UPTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXTENSION OF NTR FOR CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. TOOMEY) is recognized for 5 minutes.

Mr. TOOMEY. Mr. Speaker, I rise to address the House on the issue of our policy towards the People's Republic of China.

I believe the United States' policy toward China should be guided by three primary and pragmatic goals.

First, we must safeguard American security against a potential adversary. Second, we should pursue economic trade relations that promote American economic interests. And finally, we should encourage policies that will allow individual liberty and the rule of law and, thus, respect for human rights to flourish in China.

Today, Mr. Speaker, Congress voted to renew normal trade relations, or NTR, with China for another year. This renewal of NTR will advance all three of the above-mentioned China policy goals.

On the national security front, NTR and the expanded trade opportunity that it brings in non-militarily sensitive goods and services will reduce the likelihood of military conflict between the United States and China.

Countries with extensive trade relations are simply less likely to go to war with each other than countries without those ties. This is no surprise. With extensive trade comes extensive interests in maintaining peaceful relations and thus more trade.

But make no mistake, NTR does not and should not imply trade in militarily sensitive technologies. Any technology with a direct military application should not be exported to China nor to any other country that is not a close ally of the United States.

The Clinton administration's appalling lapses in safeguarding military technology must be rectified immediately. But denying American and Chinese citizens the opportunity to exchange non-military goods and services will not accomplish that.

Instead, the U.S. should reinstate penalties on companies whose negligent sales compromise our security and rebuild a system of controls on the spread of potentially dangerous technologies.

Renewing NTR with China will benefit our economy by providing American consumers access to low-cost goods and by expanding U.S. export opportunities. Revoking NTR would have subjected Chinese imports to dramatically higher tariffs, and that is another word for taxes. These taxes would not be paid by China but by American consumers. Revoking NTR would have subjected American consumers to up to $29 billion in new taxes.

A second economic benefit from extending NTR will be accelerated growth in high-paying, export-related jobs across America and particularly in my home State of Pennsylvania. Exports in industries such as chemical products, industrial machines, and computer components, where wages average 20 percent higher than the national average, are already fueling much of Pennsylvania's impressive economic growth.

Renewing NTR is a prerequisite to China's ascending to the WTO, which, in turn, will dramatically accelerate further growth and opportunity in U.S. and Pennsylvania exports to China.

But finally, Mr. Speaker, freedom works. By renewing NTR with China, we are helping to provide the opportunity for the Chinese people to liberate themselves from the dictatorship under which they currently live.

China's communist leadership has embarked on what is, for them, a very dangerous course. Unlike most other communist dictatorships this century, from Stalin to Mao to North Korea's Kim Il Jong, Deng Xiaoping chose to open China to foreign investment, limited free enterprise, and engagement with the West. His bet was that he could enjoy the economic benefits of capitalism without losing the communist party's monopoly on political control.

Well, in the long run, Mr. Speaker, if we continue to engage China, Deng's successors will lose that bet and the people of China will be the winners. And they will be the winners of freedom because freedom is ultimately indivisible.

People who enjoy economic freedom will eventually demand political freedom. People who read American newspapers will eventually demand their own free press. The people who travel to the United States on business will see incomparable superiority of freedom and will eventually demand that liberty for their own country.

Freedom once tasted is irresistible. Eventually the Chinese people will demand a free, open, and just Democratic society, just as their fellow countrymen enjoy on Taiwan. Only that kind of society will properly respect the Chinese people's human rights.

These changes to Chinese society will not happen overnight, but having extended NTR will increase the pace at which they develop and, best of all, will be helping ourselves in the process.

□ 2215

REVIEW OF FORUM ON GUN VIOLENCE

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Illinois (Ms. SCHAKOWSKY) is recognized for half the time until midnight as the designee of the minority leader.

Ms. SCHAKOWSKY. Mr. Speaker, yesterday in Chicago I hosted the first of 16 women's forums on gun violence that will be conducted by Democratic women Members of Congress. The goal of these forums is to develop strategies and build grassroots movements to pass sensible gun safety legislation this year.

I will tell my colleagues more about this event, Mr. Speaker, during the hour and how much all of us, men and women alike, hope these forums will contribute to making our country safer for our children and our grandchildren.

When discussing gun safety legislation, it is easy for us here in Washington to get lost in all the many intricacies of this subject. We can argue fine points of the law, the real meaning of the second amendment to the Constitution, the difference between a 3-day waiting period and a 72-hour waiting period. We can talk about the features of different weapons and ammunition clips and demonstrate our knowledge of the hardware. But for most Americans, it comes down to this. Is my child safe on her way to school? Can I stroll in my neighborhood on a beautiful summer evening? Is it safe for me to walk home from the synagogue after services or from church? No one is secure enough in our country anymore to answer ''yes.''

After the tragedy at Columbine High School and the shootings and killing in my district during the Fourth of July weekend, Americans are asking, what does it take? What does it take before something is done in the United States Congress? How many children have to die? How many parents must prepare for another funeral?

We want to talk to you tonight as mothers and as grandmothers. This is about my granddaughter Isabelle and about the horror of gun violence and the simple steps that we can take to reduce it. We know that legislation will not eliminate it, but just ask the devastated families of victims if stopping the killing of even one child is not worth it.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE Johnson).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the Juvenile Justice bill passed long ago, and the House still has not appointed conferees. This legislation and its accompanying gun safety provisions are vitally important to all American families.

Each day in America, 14 kids age 19 and under are killed by guns. In 1996, almost 5,000 juveniles were killed with a firearm. In 1997, 84 percent of murder victims age 13 to 19 were killed with a firearm. Fifty-nine percent of students in grades 6 through 12 know where to get a gun if they want one, and two-thirds of these students say they can acquire a firearm within 24 hours.

Kids and guns do not mix. Yet the Republican leadership refused to consider common-sense gun safety measures that would only serve to protect our kids. It is far too easy for kids to get and use guns. Trigger locks, or locked safety boxes, would keep this from happening.

We have continually passed up the opportunity to act on this vitally important issue. I urge the Republican

leadership to move to appoint conferees before we lose another child.

Ms. SCHAKOWSKY. I think that the gentlewoman has expressed the kind of impatience that many Americans are feeling right now. They want to know when we are going to do something. That is particularly true right now of the residents in my district, who are just beginning the healing process after having suffered the violence of hate over the Fourth of July weekend.

I want to put a face to one of the victims of gun violence. Ricky Byrdsong was a former basketball coach at Northwestern University. He was a father, a community leader, and an inspiration to his family and all those who knew him, a deeply religious man. Ricky Byrdsong was committed to a cause, and his cause was to help underprivileged youth reach their full potential and follow their dreams. His work took him to neighborhoods where violence was all too common a feature of everyday life. He lived with his wife and three children in Skokie, Illinois, a quiet community of ordinary homes and bungalows, quiet streets, good schools, and he once commented to a friend on how happy he was to live in a safe neighborhood. He did not have to worry about his kids being hurt. He did not have to worry about the violence that is so common in other neighborhoods. He was happy to live in the peaceful community of Skokie, Illinois.

But that all changed on Friday, July 2nd, when Benjamin Smith murdered Ricky Byrdsong when he was outside playing with his children. He was killed because of the color of his skin. And Mr. Byrdsong was not the first target that night of Benjamin Smith's hate. Six men were shot in Rogers Park. They were walking home from synagogue, they were orthodox Jewish men who were praying that evening. It was a warm summer evening as they walked home. Twenty bullets found their way into six people that night. It is only a miracle really that none of those people was killed. The mother of one of those victims said, ''This was not just hate. This is what happens when hate is given a gun.''

Dr. Michael Messing was another victim that night. He and his son were the first people who were shot at that evening. He and his son were walking home and he described this at the forum that I held yesterday how Benjamin Smith actually stopped his car, got out and pointed his gun at Dr. Messing and he knew that right away he had to flee, that this was clearly a dangerous situation, he was shot at, his son was shot at, and again miraculously the bullets missed him. But he stood there to watch his neighbor down the street get shot and suddenly from victim, he turned into physician and ran down the street to care for them.

He faxed me a statement today that said:

''As a recent victim of Benjamin Smith's anti-Semitic and racist shooting spree, I implore you, our leaders in Congress, to pass the necessary legislation on gun control which would inhibit easy access to weapons for criminals. In doing so, you will create a safer, healthier and more optimistic future for our country. If you fail to do so, my living nightmare might one day become yours as well.

You can imagine what a nightmare that is to be with your son and friends walking home and being shot at on the streets of your community.

Littleton, Colorado; Rogers Park in Skokie, Illinois; Bloomington, Indiana; Springfield, Oregon; Fayetteville, Tennessee; Edinboro, Pennsylvania; Jonesboro, Arkansas; West Paducah, Kentucky; and Pearl, Mississippi. Is your hometown next, Mr. Speaker? No one knows for sure.

At the forum yesterday, a number of incredible people testified. They are victims of gun violence that perhaps gave the most dramatic testimony of all.

One was Maureen Young, who comes from my town of Evanston, Illinois. She spoke about her 18-year-old son who was shot in the heart by a person who was told to kill someone for their gang initiation. As she was speaking, she held up the printout from the hospital heart monitor that showed her son's flat line. She held up that tape that showed the flat line on the heart monitor that indicated that her son was dead. And she said, ''How many mothers are going to have to come home from the hospital with a tape like this indicating that their child has died?''

Mrs. Young is one of many victims, many mothers, many fathers, who has turned their own personal tragedy into a crusade, and now she is a leader in the Bell Campaign, a campaign designed to wake up America, to organize victims and people who care about those victims into a grassroots campaign to make this Congress more afraid of people who want sensible gun safety legislation than they are from the small minority of people who resist passing even the most sensible and simple pieces of legislation.

It is hard to imagine what Maureen Young has experienced. But there are an average of 13 mothers every single day who experience that. We talk about Columbine and Littleton, Colorado, because it is a community where we do not expect some things like this to happen, just like Skokie, Illinois, and Rogers Park, Illinois. But 13 mothers every day experience the same kind of horror. In my own little town, I have attended three funerals in the last year. I am tired of these funerals. I guess Ricky Byrdsong's funeral makes four.

Mark Carlin, President of the Board of Directors of the Illinois Council Against Handgun Violence, urged us to apply the same common-sense practices that we apply to cars to guns. Why can we not treat guns with the same common-sense regulation as we do our cars? Are we any less free because our car is registered?

He talked about transferring the registration of his father's automobile to himself and how he had to go down and fill out the paperwork. And no one would question that that is not a good thing to do. He talked about the fact that we have to get a driver's license and renew that driver's license, and why is it not that every single gun owner does not need to register for that gun? We would not think of saying people should drive a car without a driver's license. And he said, ''What is more sacred in our culture than the automobile?'' It defines us in some ways, our mobility, our freedom, our independence, and yet we understand that automobiles and drivers are heavily regulated. And yet not guns.

The gun lobby says guns are somehow a sacred object, that it should escape all that kind of regulation.

At the forum yesterday, I held up a TEC–9 in one hand and a baby rattle in the other hand. Baby rattles are governed by the Consumer Product Safety Commission. We have laws about it. We have laws about how big the parts are in toys that we give to our children. Guns are exempt from regulation by the Consumer Product Safety Commission. Why is that? It is one of the only products, I think it is the only consumer product that is exempt from that kind of regulation. So Mark Carlin was saying, let us at least treat guns with the same respect, if you will, as we do our automobiles.

We had Dr. Kathryn Coffer Christophel who is a respected pediatrician at Children's Memorial Hospital and also an expert on gun safety approaching it as a health issue, reframing this debate as a public health crisis.

□ 2230

She talks about how every year over $1 billion is spent on medical costs associated with the treatment of individuals who have been shot. Of course, these dollar figures do not take into account the lost earnings to their families while they are recuperating. She pointed to a chart that we had there yesterday that showed that in 1996 there were 15 handgun murders in Japan, 15 in the whole nation in the whole year. Thirty handgun murders in Great Britain, Mr. Speaker; 106 in Canada; 213 in Germany; and 9,390 in the United States.

She said, if we looked at that chart and we were talking about a disease, a virus or a bacteria, and we saw how many people were afflicted in the United States, is there any question in our minds that we would say, what are these other nations doing? They seem to have conquered this epidemic, or dramatically reduced it. What are they doing that we are not doing to confront this health crisis. And the answer is really very simple. They have far tougher gun laws. Oh, we may want to bring in all other kinds of cultural issues and maybe they affect some few cases. By and large, the explanation for the difference is we have more guns.

Mr. Speaker, we heard from a remarkable young man, Albert Smith, who just graduated from Evanston Township High School and his family also was touched by a gun-related tragedy in which a member of his family was killed. Albert really does not like to go into details about the tragedy that struck his family, but what he likes to talk about is how it spurred him into action on antiviolence issues, including gun control.

What Albert did was organize a conference on violence and gun control at Evanston Township High School in May which included the U.S. attorney from Massachusetts who came to talk about strategies that they had developed to reduce gun violence, particularly among youth, where they had a long period, I think over 2 years, where not a single child in the City of Boston was lost to gun violence, a coordinated strategy of prevention and control.

Albert had just one simple challenge for all of us who were gathered yesterday and that is, what are you going to do about it? What are you going to do about it? What are we going to do about it?

I have received, as I am sure many, many Members of Congress have, letters from my constituents, letters that tell sad stories and cry out for help, and tell about fear, tell about the fear now of ordinary kids that are afraid to go to school who now think yes, indeed, it could happen to me.

Dear Representative Schakowsky: Hello. I am currently a high school student at Niles West. I know that I am not old enough to vote for anything, but I would appreciate if you would take the time to consider what I had to say. I think that there should be stricter laws about guns.

Too many kids are getting their hands on guns. I don't know how, but there should be a way to keep guns off the streets. In the Colorado shooting, those kids had some big firearms. How did these kids get their hands on such guns? I am not sure that I feel safe in school, ever since the Colorado shooting. If, by chance, this topic comes up,

and I hope, Mr. Speaker, that my colleagues are listening to that. This child from Illinois is saying,

If, by chance, this topic comes up, please vote for stricter laws against guns. I heard too many stories about little kids and guns, and I am afraid that someone I care about might get hurt by a gun. I thank you for taking your time to listen to what I say.

And I hope that all of us here, Mr. Speaker, will take time to listen to what this student had to say.

Another:

Like most people, I have been disturbed by the rising violence in our lives. But Littleton really brings it home. It seems ridiculous to me that guns can be picked up at gun shows without even a background check. It is even worse that people not old enough to legally drink beer can buy assault rifles. Why aren't guns regulated for safety, like every other consumer product? Thousands of children could be saved from disability or death by simple child safety standards for handguns.

Yesterday at this forum, I also held up a TEC–9 and a child safety lock. For $5 or $6, one can get a lock that will be put on guns that will prevent the accidental shooting of children. Let me tell my colleagues a few of those stories.

In Florida in 1999, an 11-year-old boy got angry with his 13-year-old sister. He went to a closet at home, took out a gun his parents kept there and killed his sister. The gun was in an unlocked box, was next to the ammunition, and had no trigger guard.

In Tennessee in May in 1998, a 5-year-old boy found a loaded hand gun on his grandfather's dresser and carried it to school, threatening to kill his teacher and classmates.

In Cleveland, a 13-year-old boy took his father's unsecured handgun and killed himself while playing Russian roulette. The city prosecutor brought charges against the boy's father for violating the ordinance that prohibits minors from having access to a gun.

In Florida, a 14-year-old boy found his father's gun in a closet and shot a playmate in the head after school. The victim lives, but suffers, as we can imagine, from medical problems as a result.

This is one of the sensible gun safety measures that was passed by the Senate to require a child safety lock on every weapon. Why not? Why not, America is asking us. We talk about closing the loophole in the Brady Bill and requiring background checks at gun shows.

Mr. Speaker, Benjamin Smith, who terrorized my community and then killed two people and then himself, and we can talk about the hate groups that he was associated with and hate Web sites on the Internet, and we should. But Benjamin Smith again was able to convert this hatred into violence.

Now, he went to buy a weapon and was turned down because he had an order of protection against him, and fortunately that turned up in his background check. What he did was go to an illegal gun dealer, someone who had legally purchased an arsenal of weapons. If we had had legislation that said that only one gun a month could be purchased, this illegal gun dealer would not have been able to have this arsenal that Ben Smith was able then to buy two guns from this man.

We need to do sensible things. The gun show loophole is another place Ben Smith could have gone to a gun show to purchase those guns, and if he would have found an unlicensed dealer, he could have bought his guns there too. He would have been able to purchase those guns and murder two people in a way that was not intended when we first passed the Brady law. How many lives would be saved if we would close that simple gun show loophole?

When the gentlewoman from New York (Mrs. MCCARTHY) stood on the floor of this House and said, ''All we want to do is keep guns out of the hands of criminals,'' let me just quote from her. She said, ''That is all I am trying to do. My amendment closes a loophole. I am trying to stop the criminals from being able to get guns. That is all I am trying to do.'' And she said, ''This is not a game to me. This is not a game to the American people.''

Mr. Speaker, this is our colleague, a woman from New York, a hero in the battle for gun safety legislation and someone herself who has experienced the tragedy in her own family.

America is asking us to do something. Let me just refer my colleagues to an editorial, Mr. Speaker, that appeared June 20 in the Chicago Tribune. It says, ''The statute of limitations on responsibility in the United States House of Representatives expired after 59 days, just 59 days after two students shot up Columbine High School in Colorado. The House decided that more dead children is the price to pay to protect the national gun lobby.''

And the Chicago Tribune again, on July 18 said, ''Last weekend, a bigot with a heart full of hate, a couple of guns and a load of ammo left a trail of blood through Illinois and Indiana. This week, congressional conferees from the House and Senate will start to decide whether the country needs tighter gun control laws.''

Mr. Speaker, I only wish that had been true. I only wish that conferees had been appointed and that they were starting to decide whether we need tighter gun laws.

The editorial goes on, ''Poll after poll has shown that Americans want to close the loopholes in the existing gun laws governing the sale and use of firearms, but Members of the House who flatly rejected meaningful gun control legislation last month are not listening to the polls, they are listening to the National Rifle Association.''

Let us review in closing, Mr. Speaker, the three simple measures that the Senate passed that we hope will become the law of the land, that we hope that the Speaker will appoint conferees, that we can get down to the business that the American people are asking us to do. Those three things are: close the loophole in the Brady Bill, the gun show loophole; the second is to require child safety locks; and the third is to ban, another loophole, ban the importation of high capacity ammunition clips.

If we do those things, we will have made the first small step in addressing the concerns of the Americans for their own safety, for the safety of their children. We will be saying to the American people that we want your children to be able to walk to school and be in school in safety. We want you to feel safe in your neighborhoods. We do not want another child to die; we do not want another police officer to die. We want to address this problem in our country, and we are going to make those first steps. Let us do it, Mr. Speaker. Let us do it soon.

Mrs. NAPOLITANO. Mr. Speaker, in the last few months and years, a series of tragic events has made it clear that there are serious shortcomings in our gun laws that must be addressed. The U.S. Senate, after lengthy consideration, finally passed a bipartisan measure

that would begin to close loopholes that have too often resulted in guns getting into the wrong hands by allowing vendors at gun shows and flea markets to sell firearms without conducting background checks. The Senate is to be applauded for this action. The Senate had the courage to pass a bill that dealt with the issue of juvenile justice and gun violence in a sensible and thoughtful manner.

In the House, that same courage appeared to be lacking in too many of our colleagues. As a mother of five and grandmother of thirteen, I empathize with the families who lost children in Littleton, Colorado and with the thousands of other families across this nation who have seen violent crime rob them of their loved ones. These are losses that can never be forgotten and that leave a lasting void no one can fill.

Unfortunately, the American people were the big losers in the debate on the House floor over gun safety last month. Hours of floor debate over three days and nights produced nothing that can comfort those who have already lost a family member to gun violence and provided no real meaningful measures to ensure the future safety of our children.

The fight for sensible gun control is not over. Those of us who believe in closing gun loopholes will continue our efforts. Three months ago, I spoke to many members of Family and Friends of Murder Victims assembled in Rose Hills Memorial Park to honor their slain loved ones during Victims Rights Week. I pledged to them that I would work to ensure we establish laws and programs that help prevent the additional loss of innocent lives and to strengthen victims' rights. I intend to keep that pledge.

Let us look at the facts: In the five years that the Brady Bill has been in effect, requiring a three business-day waiting period for a gun purchase, more than 400,000 illegal gun sales, two-thirds of which involved either convicted felons or people with a current felony indictment, were blocked. This is clear evidence that this law works and that we are on the right path.

However, we still have far to go. Studies show that one in four gun murders are committed by people aged 18 to 20. Furthermore, about two-thirds of all homicides involve the use of a gun. Also consider that domestic violence often turns into homicide in many instances where guns are readily available, and that law enforcement officials support gun safety because it saves police officers' lives.

These facts demand our immediate attention. It is no wonder that a recent Pew Research survey found that 65% of the nation believes gun control is more important than the right to bear arms. Similarly, a Gallup Poll shows that 79% of Americans support mandatory registration of all firearms.

I wholeheartedly support a rational gun safety policy to close loopholes that have allowed too many individuals to skirt laws designed to prevent guns from getting into the wrong hands—often the hands of felons or minors.

We should strengthen the Brady law and fight for new gun safety measures that include: a three business-day waiting period to complete background checks on people buying guns at gun shows and flea markets—just like sales at retail outlets; banning the import of large-capacity ammunitions clips; raising the national age of handgun ownership from 18 to 21; gun safety locks to accompany all new firearm sales; and preventing serious juvenile felons from ever owning guns.

We can achieve all of this if the members of the House have the will and the American people make it clear to their representatives that they demand action on gun safety. Let us stop the delay. Let us pass meaningful gun safety legislation.

## GENERAL LEAVE

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on my Special Order this evening.

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

There was no objection.

## THE REPUBLICAN AGENDA

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. SCHAFFER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHAFFER. Mr. Speaker, I appreciate the recognition for this hour that I reserve on behalf of the Republican majority. And, specifically, for those Members of the Theme Team and any Member of the Republican Conference that has anything to discuss this evening, I invite them to come down to the floor now and join me in the next hour in discussing topics relative to our majority agenda on the House floor.

That agenda, of course, includes an effort to save and secure a retirement security system through Social Security and Medicare. It also involves our efforts to reduce the tax burden on the American people. The third item is to build the strongest national defense in the country, in the world, one that allows for complete security for our Nation and for our children, and the third effort is to try to create the best education system on the planet.

□ 2245

Those are three goals towards which we are working vigorously, and hoping to accomplish and achieve.

I want to start out by talking about a fifth topic, one that is important to my constituents and one that is fresh on my mind just coming back from a weekend of visiting with constituents. The topic back home was the Endangered Species Act.

The Committee on Resources has a special task force that visited Colorado and held a hearing in the town of Greeley. We had a great hearing. One of our colleagues, the gentleman from Colorado (Mr. UDALL), was able to come up to Greeley and join us, as well as one of the members of the Senate, Senator CAMPBELL. Also, the fourth member of that group was the chairman, the gentleman from California (Mr. POMBO).

We had a great hearing. We heard from many, many people involved in agriculture in Colorado, and those who are in the business of wildlife management and the science of trying to preserve and protect endangered species, and prevent certain species from becoming listed on that list.

We also heard from a number of individuals from environmental groups. But the consensus clearly was that the Endangered Species Act is broken and needs to be fixed; that the act needs to be addressed in wholesale fashion and dramatically reformed.

It is very clear that the notion of protecting and preserving endangered species is a good one, and one that ought to be maintained. It is a noble goal, a worthwhile goal. It is a public goal.

The unfortunate consequence, however, of the Endangered Species Act is that the individual who happens to find one of these species on his or her property bears the almost exclusive burden in shouldering the cost of protecting and preserving and achieving this public goal of species recovery. That is the unfortunate part of it. It is the unfair part of the Endangered Species Act.

Once again, I want to suggest that those we heard from in Colorado, from the farming and ranching community, from the homebuilders in Colorado, those who represent municipalities, as well, we heard from a county commissioner, a State legislator, all of these people really and truly believe that we ought to do everything we can to protect and preserve species, and we certainly do not want to see them go extinct as a result of any human activity.

But they also understand the importance of a local perspective in achieving a strategy to secure these public goals of species recovery and protection of species.

We heard from a county commissioner, for example, Kathay Reynolds, the county commissioner in Lambert County, who was disappointed that the Fish and Wildlife Service did not reach out enough to her and her constituency in devising the rules to protect a mouse, a mouse called the Prebles Meadow Jumping Mouse. This is a mouse that looks just like the Western Jumping Mouse that is a more hardy variety in Colorado.

The mouse has been listed. Let me say that the mouse seems to like water. It hangs out around rivers and streams and irrigation ditches, which in the West is critical in a semi-arid region such as ours when it comes to agriculture. So the mouse likes to be around the water and in the tall grass around the water.

If you happen to find a mouse, one of these Prebles Meadow Jumping Mice in and around your property, your life is about to change, because under the proposed rules by the Fish and Wildlife Service, that means that you can no longer maintain your irrigation canals and ditches. It means that, in many cases, you may have to divert your

water and use it in a way that is not conducive to sound agricultural practices.

It also means that again, in an area where water rights, where we fight very hard for water rights, that this has the ability to disrupt the allocation of such a scarce resource.

We heard from many other individuals, but the hearing was a very good one, one that is very, very important to the West. We heard about other species, the mountain plover, the blacktailed prairie dog, and other species that are proposed to be listed in Colorado.

I want to thank the Committee on Resources, its leadership under the chairman, the gentleman from Alaska (Mr. YOUNG), as well as the chairman of the task force, the gentleman from California, for coming out to Colorado and focusing so much national attention on a big problem in our part of the country.

Mr. Speaker, I yield to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman from Colorado for yielding to me.

While he and I both serve on the Committee on Resources, I was unable to join the gentleman in Colorado over the weekends. But there is no question that the Endangered Species Act is having a very dramatic and in some instances, a devastating impact on our rural communities.

Obviously, it impacts rural areas because rural areas is where habitat involving endangered species exists. But what we know now is that it operates in an unfair fashion, particularly with private property owners. But even the impact that it has on the management of public lands, it is unfair, and it is also ineffective.

We know now that has been having an adverse impact on what the objective is, which is of course to protect species, because the incentives in the Endangered Species Act certainly are such that if one discovers a species on one's property, it is best not to do that. So the incentive is for people to change habitat.

Also one of the huge issues associated with the Endangered Species Act is the fact that the States have had responsibility for managing wildlife. That has been the tradition in this country. In the Endangered Species Act, the Federal Government has taken the dominant role, overriding the authority of the States.

What we see happening is that we are managing for a single species, which is having an adverse impact on other species. In other words, the Endangered Species Act focuses all the resources on a single species, and the broad ecology is secondary to the protection of that species.

So there are a number of reforms we need to make. One is to restore the responsibility and authority of the States, to allow for agreements with private property owners in managing their property for broad species protection, and also to make sure that people who lose the use of their property are appropriately compensated for it.

While I missed this meeting, I certainly agree that we need to reform the Endangered Species Act.

Mr. SCHAFFER. Farmers and ranchers are really having a tough go of it right now, not only because of various regulatory policies, the Endangered Species Act, as implemented by the Fish and Wildlife Service, being among them, but several other matters, tax-related policies and trade issues, also.

But the topic of private property ownership in America is so central and essential to our way of life and our culture. It really is rural America, which in, my opinion, is where we find the real soul of America. These are the same folks, the same spirit and mentality and motivation that in fact founded the country and have sustained our great Republic to this time.

The effect of this particular regulatory action, the Endangered Species Act, is one that restricts and constrains to a tremendous degree the ability not only to enjoy property rights and the use of one's private property, but also the production of our food supply, which is something that, of course, is vital to the long-term solvency of our Nation and the success of our Republic, and the strength of emerging economies throughout the rest of the world.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. I thank my friend from Colorado and my friend, the gentleman from Montana.

Mr. Speaker, as I listened to their words, I could not help but think of the irony of the current administration, who campaigned in 1992 under a slogan of putting people first. How ironic that is, in the wake of decisions by the administration that would seek to dilute what the Fifth Amendment to the Constitution says in its final clause.

I would ask my colleagues and those who join us to listen closely. The final clause of the Fifth Amendment to our Constitution says, ''Nor shall private property be taken for public use without just compensation.'' And the irony of the assertion that the Clinton-Gore gang plan to put people first is exceeded only by the boastfulness of the current president in the inter regnum between his election and swearing in when he said that he would offer the most ethical administration in history.

The irony fairly drips from those words when today, Mr. Speaker, we came to this floor to debate the trade status of the People's Republic of China, mindful of the fact that Chinese shell corporations, technically with American charters, had given money to the Clinton-Gore campaign in 1996; mindful also of the fact that for those of us from the West, from Colorado, Montana, and Arizona, it has been said that this administration has declared war on the West, on resource-based industries, on small family farms and ranches, on a way of life that is rapidly vanishing, hastened by the bureaucratic decisions of those who would seek to short-circuit this document.

Mr. Speaker, one is reminded of the weak assertion by our current Vice President, the same Vice President who last weekend presided over an unparalleled waste of natural resources in the millions of dollars, in the millions of gallons of water, for what is now being called the new Watergate, for what some cynics call Tipper Canoe; for what other cynics call the new Row vs. Wade; a Vice President of the United States, Mr. Speaker, who had the audacity to stand in front of the assembled press and say to America, through the Press Corps, ''My legal counsel informs me that there is no controlling legal authority.''

Mr. Speaker, it is a fair question to ask, how low can an administration go, from the boastful claims of putting people first, from the boastful claims of having the most ethical administration in history, to the reality of taking contributions from Chinese front corporations, to having a Vice President who, in violation of existing Federal law, sought campaign donations from his Executive Office Building location, not from the Democrat National Committee, and still had the audacity to claim that his legal counsel informed him that there is no controlling legal authority.

Mr. Speaker, I will say again for the Record, to my colleagues and those who would join us beyond these walls, there is a controlling legal authority. It is called the Constitution of the United States, which provides oversight capacity to the legislative branch of government, but moreover, Mr. Speaker, which provides a remedy every 4 years for the executive branch, every 2 years for those who would serve in the Congress of the United States, where we stand at the bar of public opinion and are accountable to the people who sent us here.

That should give pause to this Vice President, even though the current president apparently has no concerns about it.

Mr. SCHAFFER of Colorado. Mr. Speaker, this topic of corruption in the executive branch of government and in administration is one that the Committee on Resources again had a chance to look into a little further, and the gentleman from Montana (Mr. HILL) was there.

I would like to ask him to comment, if he would, for a moment on the hearing we had just a few days ago.

Mr. HILL. As my colleague, the gentleman from Colorado, knows, we are considering a number of bills associated with putting perhaps more of the offshore receipts, revenue from offshore oil and gas development, into habitat and providing that money to the State.

So as part of that, the Committee on Resources asked the General Accounting Office to do an examination of the

accounting in the use of these funds. We had one of the most startling reports that I think that I have ever read as a Member of Congress. What we have discovered is that at the very top of this administration, there has been a looting of hunters' and fishermen's funds. People who hunt and fish in the United States pay an excise tax into a fund, the Pittman Robertson fund, and a fisheries fund to provide for habitat to help sustain hunting and provide habitat for hunting.

What we have discovered is that the Fish and Wildlife Service has been looting this account.

## REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2465, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–268) on the resolution (H. Res. 262) waiving points of order against the conference report to accompany the bill (H.R. 2465) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–269) on the resolution (H. Res. 263) providing for consideration of the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## ADJOURNMENT TO THURSDAY, JULY 29, 1999

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Thursday, July 29, 1999.

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

There was no objection.

□ 2300

They set up special secret accounts. Out of these accounts, they paid for expenses that are inappropriate, illegal. There is not adequate accounting for these funds. If I can make this last point, they even pressured one of their employees to approve a funding request by an anti-hunting group, using funds paid in by hunting and fishing men and women, to use those funds to fund an organization fund for the animals in an anti-hunting campaign.

Mr. HAYWORTH. Mr Speaker, will the gentleman from Montana (Mr. HILL) repeat his assertions, because I think, given the culture of the present day, given the media proclivities here on Capitol Hill and beyond, sometimes, quite often, these stories are missed for whatever reason. Could the gentleman repeat what he has found in the Committee on Resources.

Mr. HILL of Montana. Mr. Speaker, what this general accounting report, and this is a preliminary report, we have asked them to do a more thorough examination, but they have created several administrative accounts, one that the chairman has even labeled a mystery administration account, and used the funds in those accounts to fund projects that would not normally meet the criteria.

They have looted those funds, tried to direct those funds into anti-hunting efforts. In some instances, there is evidence that they used those funds to pay for expenses that are not authorized by Congress. In other instances, they have failed to account for those funds. They have failed to establish any criteria for the approval or the granting of those funds. This is at the very highest levels of the administration.

Now, the person that revealed this information to our committee was fired for failing to go along and has recently entered into a settlement with the Fish and Wildlife Service. But, interestingly, that settlement has a confidential clause, a gag order attached to it. So at our hearing, that employee was unable to give us all the details that he wanted to give us.

Mr. HAYWORTH. Mr. Speaker, if I could ask the gentleman from Montana, is it his impression that this administration was using those different entities, those different people to campaign for a certain point of view, using these people in a way in a campaign that would be unlawful?

Mr. HILL of Montana. Mr. Speaker, this is certainly consistent with the agenda of this administration, which is to restrict the public use of lands. I long suspected that part of that effort is to reduce access by hunters and people who fish and use the public lands for that purpose. This is consistent with that pattern of activity and that agenda.

But in this instance, this is not a small sum of money. This is $550 million a year that goes into this trust fund, and they were peeling off between 6 and 8 percent of this fund, which is $40 million a year for this purpose. What we also discovered is they took money. Understand, this is a trust fund for habitat, and they were taking this money to backfill the other parts of their budget because they were running short of money in different areas. So they took money from this account for that purpose.

So there are extremely serious allegations here. We are going to continue to have more hearings on it. I am advocating for the committee and the Fish and Wildlife Service to find a way to lift the gag order on this former employee so this person can tell us the whole truth. There were questions that I asked at the hearing that this person was unable to answer because of the confidentiality agreement that had been entered into. But these are very serious matters.

But I know it is troubling to the sportsmen and women in Montana who, through the purchase of guns and ammunition and sporting goods and fishing gear, are paying an excise tax into this fund for habitat purpose, to have this administration using that money or trying to use that money, meeting with, conspiring with anti-hunting groups to try to undermine the very people who are paying the tax.

Mr. SCHAFFER. Mr. Speaker, the interesting thing is we probably would not have discovered this scandal were it not for a handful of conscientious employees and others who work with the Interior Department on management of this fund who found the courage to stand up and represent and think about the taxpayers and what is morally proper and risk their jobs and perhaps their future careers as well. They came forward to Congress and explained what was going on, which it allowed us to have the hearing and move forward. This is a scandal of major proportions.

The gentleman touched on a point that I want to move into next, and that is he said that there is a pattern in the administration when it comes to public use of public lands. That is also true of private lands. There is a deeply held belief in this administration that human beings are a problem, that human beings should not be enjoying our national parks, our national wilderness areas, our National Forests, and so on; that these should be off limits for human activity, whether it is hunting or recreation or even when it comes to private property when it comes to responsible land use.

We talked earlier about the Endangered Species Act and the impact that that has on the ability of an individual private property owner to use his or her land as they see fit.

I want to use an example for my colleagues briefly, and that is one of this apple, just to dramatize the importance of these public lands-private lands use issues when it comes to agriculture.

If this apple represents the surface area of the globe, we have to keep in mind that approximately three-fourths of the Earth is covered with water. So if I cut this apple into quarters, we have represented here the available use of land mass that exists on the earth.

Now, keeping in mind that also of this land mass, approximately half is

mountains or desert or arctic regions or areas that are too hot. That leaves us with about an eighth of the land mass that could be useful for growing food.

Now, of this one-eighth, we have a certain portion, about a quarter, that is simply too wet or too hot. We have another quarter that is simply not habitable for or not useful for growing agricultural products. The land is just not rich enough. Then we have another quarter that we can cut away because of concrete, because of infrastructure, roads, bridges, and municipalities and so on.

That leaves us with one thirty-second of the land mass on the entire planet that is available for agriculture. Bear in mind that we are just talking about the surface.

So let me show my colleagues what that represents from the whole apple that I started with. Here is how much we are talking about. Whenever the Fish and Wildlife Service, the Federal Government, or any other Federal agency proposes to move farmers and ranchers off of this little piece of land and take that land out of production, that puts the human population at great peril over a long period of time, and it is the reason we need more sensitivity in Congress and in Washington in general in looking out for these rural individuals.

I am proud to say that this Congress just last week reached out to some of the people who worked that tiny patch of land, and we reached out in a way that has powerful impact. Because when the farmers and ranchers who work that land reach retirement age and start contemplating planning their estates and handing that land to their children, they are confronted with a very unfortunate reality; and that is, upon their death, when they hand that farm or ranch over to their children, the Federal Government walks in and demands upwards of 50 percent of the value of that asset before the children can use that farm or ranch to keep it in production.

That is true for any business owner. It is true for any homeowner who wants to hand their family's assets and wealth over to their children.

We put forward in our tax plan, among the $792 billion in tax relief over a 10-year period an effort to eliminate the inheritance tax all together. That owner's tax that I just referenced, in 10 years, will be gone if this tax is able to move through the Senate and ultimately be signed by the President.

I know the gentleman from Michigan (Mr. HOEKSTRA), who is joining us here tonight, was very helpful and has long been one who has been pushing this Congress to move toward tax relief.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman from Colorado for yielding to me, and I am glad that I can join my colleagues here tonight to really talk about some of the issues that they have been talking about earlier, but also to put the tax relief plan in context of what we, as a majority, are driving for in the House of Representatives, an agenda that we identify as enabling us to secure the future for American citizens as we move into the next millennium. I know we are going to focus on the tax relief package tonight. But we need to put it in context of the other elements of our plan.

We are focusing on education. We have passed a number of different education bills in this Congress. The most important, or one of the bills last week, again was the Teacher Empowerment Act focusing on enabling local school districts to make sure that every teacher in the classroom was qualified to teach our children, giving local school districts additional flexibility.

We are also, as we move through the tax plan and the tax relief efforts, ensuring as our first step to set aside in a lockbox all of the FICA taxes that the American taxpayers are paying in each and every week. As part of that, there is a right-to-know provision of the tax relief bill that is going to enable taxpayers, when they get their W–2 form, not only to see the amount of FICA taxes that they pay each and every year, but the matching amount that their employers pay each and every year.

□ 2310

So that they are going to see that it is not 6.5 percent of my income, it is 13 percent of my income that never comes home with me but goes directly to Washington.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleagues, the gentleman from Montana (Mr. HILL), the gentleman from Michigan (Mr. HOEKSTRA), and the gentleman from Colorado (Mr. SCHAFFER).

Mr. Speaker, at times Washington tends to operate on what former President Eisenhower called a policy of sophisticated nonsense. That is, we get so caught up in the micro and macroeconomic implications of a decision that we allow ourselves to over-intellectualize what, in essence, is a very simple operation. And it is thus with the tax cut, to hear some folks and pundits in this town talk about it.

Mr. Speaker, I would simply ask the American people to think of the surplus that we confront not in terms of trillions of dollars, but let these three $1 bills represent the $3 trillion surplus as calculated by the Congressional Budget Office. Now, it is worth noting that almost $2 trillion of that surplus we have locked away to save Social Security and Medicare. We have locked $2 trillion, or close to that, of the surplus away to save Social Security and Medicare. But, Mr. Speaker, that leaves $1 trillion to consider.

Mr. Speaker, as my colleagues know, it is the intent of the new majority to learn the lessons of history, which are fairly simple and which boil down to this. If we leave this money in the hands of the Washington bureaucrats, it will be spent. Therefore, our mission in this commonsense conservative majority in this 106th Congress is clear: We must return the money to the people to whom it belongs, the American taxpayer.

This money does not belong to the government, Mr. Speaker. It belongs to all of those who work hard and play by the rules and pay their taxes. Therefore, our legislation that provided tax relief, which we passed last week, is intent on returning the money to whom it belongs. Because, Mr. Speaker, the money belongs to the people, not to the Washington bureaucrats.

And whether it is estate planning reform, putting to death the death tax over a 10-year period; whether it is special accounts for education to empower parents to plan not only for a child's college education but also to seek alternatives in the grades K through 12; whether it is reducing the marriage penalty; or whether it is an across-the-board decrease in the rate of taxation, we hold to this simple truth, Mr. Speaker: The money does not belong to the government. It belongs to the American people. Therefore, the American people should hold on to more of their hard-earned money to save, spend and invest as they see fit.

Mr. Speaker, that stands in stark contrast to the vision offered by the President of the United States, who came to this well of the House to deliver a State of the Union message in January and said that it was his intent to save 62 percent of the Social Security surplus for Social Security. Hello. That means he intended to spend the other 38 percent on new programs. And, indeed, as he stood at that podium, he outlined in the span of 77 minutes some 80 new programs that would cost the American taxpayers at least an additional $100 million in new taxation.

And, indeed, his budget was so reprehensible that not one member of the minority party would bring that budget forward in legislative language to have it voted on. It was up to the majority to bring it forward.

Mr. Speaker, I yield to my good friend, the gentleman from Colorado (Mr. SCHAFFER), who can make the case graphically for us.

Mr. SCHAFFER. Well, I just want to reiterate what the gentleman from Arizona just said.

When the President came and made his State of the Union address, here is what he proposed. Of the $137 billion estimated surplus in the Social Security Trust Fund and in Social Security income, he proposed keeping 60 percent of it in Social Security and spending another 40 percent of it. In other words, taking it away from the Social Security program and spending it on more bureaucracy, more government, and an increasing the Federal budget.

Well, our Republican plan is very different. We have proposed and have

moved forward on our plan to lock up the entire $137 billion. This graph, this chart, could not be clearer in showing the difference between the Clinton-Gore plan to raid the Social Security funds, spend 40 percent of it on more government, versus the Republican plan to lock up, to effectively put the cash in a locked box and not spend it, to keep it and devote it toward its intended purpose of Social Security.

That is the dramatic difference between the two visions in Washington, D.C. and the dramatic difference that we stand for and propose that is in the interest of America's retirees and those who are planning for retirement.

Mr. HILL of Montana. If the gentleman will continue to yield, when I am at home, I ask my constituents if their bosses came to them and said they were going to give them a raise amounting to $3,000, what would do with that money. None of them say they would give it to the Federal Government. Most of them say they would put some aside, maybe save some for retirement, or use some of it to pay down their debts, or maybe spend a little of it on their family.

Really, that is what we are talking about doing here, putting some of this money aside for retirement, for Social Security, and to pay down the national debt. And one-third of it, one-third of that money, is going to go to help families decide how they can better spend their money and let them set those spending priorities.

Now, the President says that is reckless. The President said we would give the money back if we could just trust that the American people would spend it the right way. I guess my view is that the people I represent know better how to spend their money better than anybody here in Washington, or anybody in this chamber, including myself. They have a better understanding of how they need to spend that money than I have, And they should have the right and the privilege to make that decision.

Now, if any of them want to give that money back to the U.S. Treasury, I am sure the U.S. Treasury would accept it. But the fact of the matter is, they have needs for their families.

I just want to make one point following up on something the gentleman said about this death tax issue, because I firmly believe this could be the last generation of family farmers and ranchers that we have in America if we do not do something. Our farm economy is in trouble, and we have issues that we need to deal with there, trade and regulatory issues, but the death tax issue is overwhelming.

Most of the farmers and ranchers in my home State are not making any money. They are not generating cash flows. They have no mechanism to finance the death tax. They cannot buy life insurance, they cannot pay the lawyers and the high-priced accountants. They have no way to do it, so they are compelled to sell. Who do they sell to? To movie stars that want to recreate on the land, not farm or ranch it. Or they sell to subdividers.

If we want to have family agriculture and we want to have this green space and these open places, and we want to retain the rural character that we all have roots to, we have to do something now to help folks in agriculture. There are a lot of things we need to do, but one of them is to lift this burden.

The lowest marginal tax rate on the death tax is 38 percent. When they hit the exemption, the threshold, they are paying 38 percent of the value of that estate in taxes. There is no way that a family farmer and a family rancher in my home State today can afford to pay that tax.

We are going to wipe out these family farmers and family ranchers. I do not want to see that happen. I do not want to see the destruction of those rural communities. I do not want to see the unraveling of the culture of agriculture and the importance that is to our history and the heritage of this Nation. So that is why this provision of this bill is so essential, and we have to make sure that we defend it.

□ 2320

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

When we take a look at what is in the tax cuts, I find it a very interesting discussion to try to identify exactly what part of the Tax Code is the most unfair. I mean, I think we all started out by saying tax relief is essential. When we combine State, local, and Federal taxes and have a tax system that takes 40 percent of the average family income, I think we are united. That is unfair. That is too much.

That means that in a two-wage-earner family, one wage-earner works the entire year to pay the tax bill. We think that is unfair and that puts too much stress on the family. That is why we support an across-the-board tax cut so that every individual in America will benefit from that.

Then we go to the inheritance tax, which clearly we work all of our lives, we pay taxes all of our lives, and then we want to leave part of that to our children. And Uncle Sam again is one of the first ones in line and makes the dream of passing a family farm or small business on to our children, makes it so much more difficult to realize.

Another part of the Tax Code that is unfair is the marriage penalty. We penalize people for being married. Interesting concept. I think again we are united in saying this is an unfair element of the Tax Code.

For the individual who wants to go out and buy health care, does not receive health care from a corporation or a large buying organization, they have to buy with after-tax dollars. If they work for a large corporation, they get it provided and there is no tax consequences to it. That is unfair for the entrepreneur, for the person who wants to start off their own business. We are trying to remedy that.

For the family that wants to set aside dollars for education, we are putting that in so that again it enables people to invest in their people. We think that that makes this a better Tax Code.

So we all have our own personal problems with the Tax Code, but we recognize that there are a lot of inequities and unfairness in the Tax Code. But it starts with tax relief, and then it moves on to these individual elements.

I think we are all looking forward to the day as this Tax Code starts to address fairness, saying we need to make this Tax Code fairer that we can move on to the next debate after 2000, which is how do we simplify the Tax Code.

Two essential elements I think of our longer term vision of what we want to have, which is a fairer Tax Code and a more simple Tax Code. And as we move in that direction, we will make a lot of progress.

Mr. HAYWORTH. Mr. Speaker, if the gentleman would continue to yield, the way I try to see it as the first Arizonan in history to serve on the Committee on Ways and Means with the authority to deal with this Tax Code, Mr. Speaker and my colleagues, is to say it this way: Tax relief first. Tax reform next.

Because, Mr. Speaker, if there is any lesson we have learned from this current administration, it is that words essentially mean nothing.

That is a shock for those of us who grew up under the notion that we would play by the rules, obey the existing law of the land, and then move forward.

Sadly, what we find with this administration and, Mr. Speaker, I think my colleagues, especially my friend from Michigan, will bear me out since he arrived after the election of 1992, a full term prior to my presence in this Congress, the irony of this fact.

It has been said and is a basic tenet of our civics training that the President proposes and the Congress disposes. And yet, Mr. Speaker, I think my colleagues would be interested, as would others, to hear and to understand that throughout this second term of this administration, indeed since 1993, this administration has not shown the common courtesy of delivering to the Congress of the United States executive branch proposals in legislative language.

The last time that happened, Mr. Speaker, was with a proposal in 1993 to socialize our health care. And so, therefore, Mr. Speaker, all the talk of administration plans for Social Security, of administration plans for tax relief, of administration plans for bolstering our national defense are as the wind; there is nothing to them.

For this administration lacks the courage and the ability to summon candor to actually help us govern. And we see it most egregiously when it comes to the death tax.

My friend from Montana is quite right. And when we represent folks in Arizona, as do I, on family farms and on ranches, in Colorado, Montana or Michigan, the fact is this for many a land holder, they are to use the proverbial term, ''land rich, cash poor.''

And when the patriarch of a family dies, the one in whose name the family ranch or the family farm belongs, the survivors are asked to pay a tax, that is unfair and that is onerous.

Mr. Speaker, if nothing else, those who hear these words should remember this fact, that our common-sense conservative majority is committed to ending, to putting to death, the death tax over the course of the next decade. Because fundamentally, as my friend from Colorado said so well and it was quoted in the Wall Street Journal well near 2 years ago, when he said there should be no taxation without representation, he understands the unfairness of this tax.

And compounding it, Mr. Speaker, is the fact that with all the sturm und drang, with all the trauma introduced into the lives of the survivors, with all the basic unfairness of taxing the work and the labors of those who have gone to their heavenly reward, still in all, the Federal Treasury only takes from the death tax one percent of the total accrued revenue for the Treasury of the United States.

And yet, Mr. Speaker, 75 percent of that one percent is spent tracking down and harassing survivors, forcing families to sell their farms, forcing families to sell their small businesses, and it shows the inequity of this Tax Code.

But, Mr. Speaker, we are cognizant of realities. A President who would stand in Buffalo, New York, one day after standing at this podium and saying that he wants to save 62 percent of the Social Security surplus for Social Security and, therefore, spend the extra 38 percent, as my friend from Colorado holds up the words, January 20 of this year the President of the United States, in a rare moment of candor, said the following quote: ''We could give it,'' meaning the budget surplus, ''we could give it all back to you and hope you spend it right. But . . .''

Mr. Speaker, that embraces the central difference. This current President, despite his obvious failings in terms of personal honor and a knowledge of accountability to the people of the United States and, dare I say, accountability of the executive branch to the legislative branch to help us govern, this President stands by a fundamental tenet of faith that is jaundiced and is misguided.

Because, Mr. Speaker, he believes that the Federal Government can spend the money of the people better than can the people. That is a serious problem.

Mr. HOEKSTRA. Mr. Speaker, if my colleague will leave that statement up, it is exactly how this President thinks, that Washington can spend the money better than the American people.

□ 2330

When this President came into office in 1993, total Federal revenues as a percent of gross domestic product, it was 18.4 percent. And under this President, that has never been enough, because he does not believe that the American family, the American taxpayer, knows how to spend that money better than what Washington can.

Today, or projected for the year 2000, Federal revenue will be 20.6 percent of gross domestic product. So the amount of revenue going into Washington as a percent of our gross domestic product is increasing. And actually as we provide and attempt to provide tax relief, our attempt will not even get us back to the level of 1993, which means that the Federal Government is getting bigger and bigger.

Some people believe that this tax relief package that we are trying to provide, this fairness that we are trying to give back to the American taxpayer, is coming at the expense of the Federal Government. No, what we are trying to do is we are trying to get back to where we were in 1993 and 1994. It is a rightsizing of the Federal Government. It is not a downsizing. It is a rightsizing, of getting back to where we were in 1993 after that tax increase.

Mr. HILL of Montana. I think it is really important for people to understand that $800 billion is a large sum of money, but the Federal Government over that 10-year period is going to spend $23 trillion. So it is $800 billion of $23 trillion. Your comments about a fairer, simpler tax code, I think it is also important to note that we are making a down payment in this bill on simplifying taxes. We are eliminating the alternative minimum tax, some of the more onerous provisions and complexities of the tax code.

I asked the Committee on Ways and Means to tell me what this means to the people of my district. In my district, we do not have high incomes. We are about 46th in the Nation in terms of the average income. But in my district over the course of the next 10 years, this is $2.4 billion that will be left in my economy, in the economy of my State. It comes out to just under $10,000 for the average family of four in Montana, how much they will save in taxes with the tax package.

Mr. HOEKSTRA. This goes on top of the tax bill that we did in 1997. This tax relief plan does not have the signature element that we had in our last tax relief package, of the $400 to $500 per child tax credit, but the impact will be as big on the American family as what that tax relief package is. So this definitely means more money in a family's pocket at the end of the year.

Mr. HILL of Montana. Certainly in 1997, we said we have to focus on families. We saw the erosion of the value of the exemption for families and so we provided a tax credit. That was the feature, and lowering the capital gains tax for investment. This is a much broader package of tax reductions. Every taxpayer will enjoy reductions in taxes as a consequence of this and there are also some targeted elements. But the important element from my judgment is the average family of four in Montana is going to have $10,000 they can invest in a house or in their children's education or to buy a car or to buy or build a home, the values that they consider the most important. $10,000 is a fair amount of money, I think, to any family. So this is significant, it is meaningful tax relief.

But the gentleman is right. We have the highest tax burden today in the peacetime history of the country. Even with this tax reduction, we still are going to have a tax burden in this country that is higher than when President Clinton took office. We still have not unraveled the largest tax increase in history that was passed in 1993 with all Democrat support. The most important element here, though, is that we are dealing with the most unfair provisions of the tax code, we are working to try to simplify it. Of course we want to provide tax relief for the working men and women of this country.

Mr. HAYWORTH. I think it is important to point out because, Mr. Speaker, as I have appeared on different media outlets to hear the predictable cacophony and chorus from the left and indeed, Mr. Speaker, it has become so reflexive, I daresay my colleagues who join me on the floor can offer an answer to filling in the blank.

My friends on the left talk about tax cuts for the rich, which is totally false but apparently alluring to those who are captured by the politics of envy, to those who would believe that they do not control their own destiny but, Mr. Speaker, it is patently false and as I heard my colleagues talk and thought about what occurred in the State of Arizona, I could not help but think of the President of the United States during our most recent recess coming to the State of Arizona, specifically coming to South Phoenix.

Now, he could have visited a lot of areas, the Navajo nation, the sovereign Navajo nation where there is chronic unemployment, or San Manual, Arizona, site of the largest underground mine in North America that has been closed thanks in part to the Clinton-Gore-Babbitt War on the West, but this President, Mr. Speaker, chose to go to an area that might be more politically hospitable, to South Phoenix in Arizona, and he proposed what he called the New Market Initiative. Again, Mr. Speaker, this has not been put into legislative language and again like cotton candy, it appears alluring but when you get to it, the details are somewhat sticky and inconvenient, the President of the United States proposes $100 million in loans for depressed areas but, Mr. Speaker, understand the taxpayers must provide some $45 million to set up that loan process, the Federal taxpayers must pay two-thirds of the overhead for the so-called New Market Initiative and yet, Mr. Speaker, I look to

the plan to help the neediest among us offered in our tax relief and tax fairness legislation, a plan championed by our good friends the gentleman from Missouri (Mr. TALENT), the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Illinois (Mr. DAVIS), a Democrat, that deals with those depressed areas not just in terms of business start-up and not in terms of makework for Federal bureaucrats but true empowerment that deals with savings, that deals with home ownership, that also deals with business start-ups, and yet the President of the United States has the audacity to come before the American people and claim that this responsible bipartisan plan to help those who need help is somehow irresponsible and reckless.

Mr. Speaker, it simply is something we have seen all too often with this President, an inability to tell the truth and to deal candidly with the American people.

Mr. SCHAFFER. The gentleman really points out the dramatic difference in the approaches that the two parties take in Washington, the party represented by the President, the Democrat Party, and the party that we represent, the Republican Party. Because I believe both parties care about rural and depressed areas, but there is a difference in the sincerity and the tenacity with which we approach real and meaningful help.

What the gentleman would describe as the President's proposal is a typical one of the liberal agenda in Washington, which is to raise taxes on the American people, send that cash here to Washington, D.C., and have politicians redistribute the wealth to the charities of certain politicians' choices. That does work but it is not fair.

What we had proposed and what we have actually passed through the tax relief effort is not tax provisions for the rich but tax provisions for average Americans and in fact tax provisions that help those who are the poorest among us.

Let me give my colleagues a couple of examples. The commercial revitalization deductions allow for tax relief for those individuals who are making investments in depressed areas around the country. We provided a section that deals with work opportunity tax credits. These are provisions that assist those who hire individuals who live and perform most of their work in these renewal communities, depressed areas that are targeted for economic growth and special assistance and help. We also provided for an effort to encourage employers to hire people off of welfare and put them to work. Now, imagine that. In a country right now that is enjoying very, very low unemployment and has enjoyed phenomenal success in welfare reform, over a 50 percent reduction in the welfare caseload over the last 2 years, we use the tax bill to reduce the burden on Americans so that we can help even more people come off the welfare system, to leave the situation of dependency on the Federal Government and enjoy full economic participation as real Americans, as entrepreneurs, as fully employed, fully engaged citizens. That is a dramatic difference in our efforts to help the very same people that the President suggests he wants to help.

□ 2340

Our method works. Our method has been proven to work, it has met the test of time, it has met the realities of history. Growing the size of government, increasing taxes is a formula for failure, and it is one that the President would like to see us do; it is one that we have a very different direction on, and fortunately, the Congress has ruled, collectively, in our favor, on our side. Less government, lower taxes, more opportunity.

I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding. I just really want to reinforce some of the comments that my colleagues from Arizona and Colorado have made.

When we are talking about what we would like to do, we are not talking about an idea or a direction or a hope, we are talking about legislative language that has been introduced, that has been debated, and that has passed. The National Security authorization bill, passed legislation that is written and has passed. The education bill, whether it is Ed Flex, which gives more flexibility to local school districts and how they deal with the red tape and the mandates from Washington, legislation that has gone through committee and has passed. The Teacher Empowerment Act, legislation that that has been written and has been passed, the Straight A's bill, the legislation is written. The lock box, the legislation is written, is passed, has moved out of the House and we are waiting for the other body to deal with it. The Tax Relief package, the bill is written, has gone through committee, and has passed the House of Representatives.

So it is awfully easy for people on the other side to talk about what they would like to do, and I think my colleague from Arizona has said they have spent a lot of time talking about what they would like to do, but the few times when they have given us legislative language on the budget, not one person voted for their legislative language. So we have met the challenge. We are not only talking about what we would like to do, we are actually here on the floor each and every day passing legislative language that is going to make a difference, that is going to help us secure the future for our kids, for working Americans, and for our retirees. We are making a difference and we are getting the job done.

I yield to my colleague.

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman from Michigan.

One last point I want to make and that is that the disingenuous argument coming from the President that somehow this tax package competes with Social Security or Medicare or paying down the debt, that is not true. This tax package fits together with our plan to lock up every dollar of Social Security taxes for Social Security retirement and to pay down the national debt $2 trillion. There are funds set aside for us to deal with reforming Medicare, if the President will come to terms with us to be able to reform the pharmacy benefit and also to provide this tax relief for the American people. We can do all of this; it is a unique opportunity to do it.

Mr. Speaker, what this tax relief package does compete with is bigger government. The fact of the matter is what the President is arguing for is to set these dollars aside for new government programs, more wasteful spending. All of the education bills that we have just passed are saying, before we put more dollars in education, and we are prepared to do that, our budget provides for it, we are saying, let us spend the dollars we are spending now smarter and better and more effectively. We are prepared to put more dollars into some of those programs, but what we want to do is reform them first, and that all can be accommodated with this tax package.

Mr. SCHAFFER. Mr. Speaker, I yield a minute to the gentleman from Arizona.

Mr. HAYWORTH. It is very simple, Mr. Speaker and my colleagues. Who do you trust? Those who say one thing and do another? Those who believe that money, power and influence should be concentrated in the hands of the Washington bureaucrats? Those who believe, as evidenced by their statements in Buffalo, New York, and from this podium behind me here, that you should not be trusted with your own money to save, spend and invest as you see it? Or, should you embrace the philosophy of the common sense conservative majority that believes it is our mission to transfer money, power and influence out of the hands of the Washington bureaucrats and back home to people living on the front lines, who understand their lives better, who understand that the money belongs not to the Federal Government and to the Washington bureaucrats, but to the people.

Mr. Speaker, on that stand we make our case, and with that, I yield to my friend from Colorado.

Mr. SCHAFFER. Mr. Speaker, I would like to continue on this topic for a few moments, but first, a little earlier I mentioned the field hearing that was conducted in Colorado on the Endangered Species Act, and I have a brief summary of that which I would like to submit for the RECORD.

Secondly, I want to move a little deeper into the discussion on tax relief. But we have spoken a lot tonight about rural areas.

Mr. Speaker, at this time I include for the RECORD the documents previously referred to.

On Saturday, July 24, 1999, Congress came to Greeley, Colorado, to hear about the impacts of the federal Endangered Species Act on Colorado. Along with ESA Chairman RICHARD POMBO and Senator BEN NIGHTHORSE-CAMPBELL, I heard expert and first-hand testimonial about the far-reaching and frequently-devastating effects of the Act on farmers, ranchers, landowners and water-users. These people represent some of the best and brightest Colorado has to offer in its defense, and all can personally attest to the onerous, confusing, costly, contradictory and dictatorial burden the federal ESA regulations impose. I would like to share some of their insightful testimony so the experiences of Colorado can be better understood and can help encourage the improvement of the ESA for the benefit of all forms of life in this great country.

Bennet Raley, water-rights advocate: ''If I had a choice, I believe that the existing law should be repealed and Congress should start over and develop a program that achieves national interests in the protection of endangered species without encroaching on private property and the prerogatives of states. Federal agencies simply take water from irrigated agriculture or municipalities in the west because the Endangered Species Act is so powerful.''

Alan Foutz, CO Farm Bureau VP: ''Farmers' water rights evaporate as federal regulators attempt to protect fish. Ranchers fear loss of livestock as predators are introduced and protected. Producers throughout the nation are forbidden from performing such basic activities as clearing brush from fence rows. In the current act, private property rights are laid aside when recovery plans stop agricultural practices without compensation. An endangered species must be protected at all costs under the current law.

''The act serves as a disincentive for landowners to protect an endangered or threatened species because major constraints are placed on agricultural practices when a species is found.

''Seventy-eight percent of the species listed reside on private lands. The public will need to spend more resources if they want full protection of endangered species.

''A single individual can petition the U.S. Fish and Wildlife Service, The USFWS must perform an initial investigation and taxpayers must pay for all the research, even on bogus petitions.

''Accurate population numbers are not available, therefore, goals for recovery cannot be defined.''

Mark Hillman, CO State Senator: ''The U.S. Fish and Wildlife Service threatened to fine a Utah man $15,000 for farming his own land and allegedly posing a risk to a protected species of prairie dog, even though no prairie dogs could be found there.

''Restoration and preservation of prairie dog habitat as it may have existed 100 years ago would mean shutting down some of the most prolific wheat producing land in the nation. Sam Hamilton, former U.S. Fish and Wildlife administrator has said: 'The incentives are wrong. If a rare medal is on my property, the value of my land goes up. But if a rare bird is on my property, the value of my property goes down.

''It is patently absurd to proffer a policy based on the asserting that Washington lawmakers—much less Washington bureaucrats—care more about environmental quality in Colorado, or any other state, than do the residents who live there precisely because of our priceless environment.''

Don Ament, CO Commissioner of Agriculture: ''In its current form, it serves the needs of neither the endangered species nor the taxpayers who provide the funds to support the program. Western farmers and ranchers view the ESA as a law that grants a federal agency the ability to unilaterally determine how their land is farmed or ranched and which could decide the economic future of their enterprise; the ESA grants too much authority to a ruthless bureaucracy.''

Ralph Morgenweck, USFWS Moutain-Prairie Regional Director: ''The Service is fully committed to finding this balance between economic development and endangered species protection. To continue making progress in implementing the ESA, an increase in funding for our endangered species program is necessary.

As of May 1, 1999, there were 1,181 domestic species on the List of Endangered and Threatened Species; this represents a 30 percent increase in just 5 years.''

Larry Bourrett, WY Farm Bureau VP: ''At this time there are no listings in Washington, D.C., therefore it is imperative that Congress come to the areas where problems exist to get a real flavor of what is happening daily to some of the nation's citizens.

The Act is benign for those who do not have to suffer the consequences of having a listed species on their private property. However, for those private property owners who happen to be within the identified range of, historic range of, habitat of or potential habitat of a listed species, it is an entirely different story. It is a story of frustration and fear.''

Jack Finnery, WY cattle rancher: ''It seems to me that just as the rancher and farmer must strike a balance that allows him or her to make a living from the land today while preserving habitat and natural resources for generations to come, the endangered species requirements must be changed to work in harmony with the many other programs that dictate how land should be managed. The ESA requires landowners to leave the land around irrigation ditches in a natural state to protect the Preble's meadow jumping mouse, but ranchers who fail to maintain those ditches may be faced with the loss of their water rights.

Under the Conservation Reserve Program, landowners contract with the federal government to protect land from erosion and curtail the resultant deterioration of water quality. However, the ESA may call for these lands to be opened up to overgrazing to create habitat for prairie dogs and mountain plovers.

The Clean Water Act calls for the protection of water quality in streams, but this mandate contradicts ESA requirements that call for the overgrazing of land to develop habitat for the plover and prairie dog.

A FWS biologist told me, 'I feel sorry for you landowners. As a result of being good stewards of the land, you now have to pay the price.'

What is that price landowners have to pay? Well, that price can be a crushing blow for an agricultural industry already wracked with some of the lowest commodity prices in recent memory and the continued decline in the number of full-time farmers and ranchers who are struggling to make ends meet in what is already a highly regulated industry.''

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

CONTINUED REPUBLICAN AGENDA

The SPEAKER pro tempore (Mr. TANCREDO). Upon the designation of the Majority Leader, the gentleman from Michigan may proceed, but not beyond midnight.

Mr. HOEKSTRA. I thank the Speaker and I invite my colleagues to stay with me until midnight so that we can continue this dialogue on our agenda for securing America's future, and I will yield to my friend from Colorado.

Mr. SCHAFFER. Mr. Speaker, I was about to say that when it comes to the inheritance taxes, we wonder why, as the gentleman from Arizona pointed out that the inheritance tax only generates a little less than 1 percent of the revenue to the Federal Government. It is relative inconsequential when you factor in the fact that the majority of the Federal revenue received by the Federal Government is squandered and wasted as a result of bureaucracy and other waste.

However, there is also deep-seated resentment in many corners of Washington when it comes to rural America. That was exhibited by the head of the Democrat Congressional Campaign Committee, the chairman, who recently said right outside here that the Democrats have written off, and I quote, ''written off the rural areas,'' and that quote was one that has been discussed repeatedly on the House Floor.

I have written some remarks on that subject, and I would ask that they be inserted at this point into the RECORD.

DON'T WRITE OFF RURAL AMERICA

(By: U.S. Congressman Bob Schaffer)

Rural America is hurting these days and the rest of the country should take notice. The current period of relative economic prosperity has abandoned most sectors of the agriculture economy, often because of deliberate decisions made at the White House.

For example, U.S. trade policy presently favors manufactured products, high tech equipment, and medical supplies in exchange for easy access to American markets for foreign farmers. Nor are trade policies fair for our farmers and ranchers. Foreign growers enjoy far easier access to our markets than we do to theirs.

Westerners tend to be closely tied to agriculture. That's why so many of my rural constituents find it hard to believe there are actually people in Washington, D.C. who harbor hostility toward them.

Just last month, after his party voted against several rural issues, the Democratic Congressional Campaign Committee chairman told reporters Democrats have ''written off the rural areas.'' The DCCC Chairman Rep. Patrick Kennedy (R.I.) later admitted he shouldn't have said it. I agree, but he did, and in doing so illustrated the disdain with which some in Congress view rural America.

Coloradans understand America must count on rural areas, not dismiss them. Statistics confirm the importance of rural settings. Agriculture is still America's number one employer providing more jobs, more

business transactions, more entrepreneurial opportunities, and more paychecks than any other sector of the economy.

In Colorado alone, agriculture accounts for over 86,000 jobs, resulting in over $12 billion of commerce. Clearly, agriculture is integral to our economy and should not be ignored or ''written off.''

Colordo produces an impressive variety of commodities in addition to cattle, wheat, corn, potatoes, sugar beets and dairy products. Growers also raise pinto beans, carrots, mushrooms, barley, sunflowers, watermelon, oats, sorghum, quinoa and wine grapes. Our ranchers' expertise raising cattle, sheep, lambs, poultry and hogs, is expanding to include specialty livestock—bison, elk, emus, ostriches, and fish.

Agriculture products extend beyond food. Colorado is well-known for its production of fresh-cut flowers, sod and turf grass, and hay. Colorado's agricultural-based inputs also contribute vital components to the manufacturing of soaps, plastics, bandages, x-ray film, linoleum, shoes, crayons, paper, shaving cream, tires, and beer.

As consumers, rural Americans provide markets for goods and services, injecting much-needed capital into the marketplace. Rural purchases of trucks, tractors, houses, implements, fuel, computers, and other items have an enormous impact on the economy providing jobs and income for salespeople, waitresses, homebuilders, real estate agents, feed dealers, mechanics, and bank tellers, just to name a few.

Still there are other reasons rural America matters. Colorado boasts over 24,000 farms and ranches, accounting for over half of our state's 66 million acres. People who live on the land are the best environmental stewards. Landowners work actively with soil conservation districts to protect water resources, manage wind erosion, reduce pollution, and control water runoff. In fact, Colorado's farmers are credited with saving an additional 51 million tons of topsoil annually for the past 10 years. They have also seeded 1.9 million acres of private land to permanent grassland under the Conservation Reserve Program, thereby producing thriving wildlife habitat.

Most of all, America's soul is found in its rural communities. A nation launched by planters and preachers, America's founding strength was mustered and sustained by the moral character of rural people. Their values of hard work, honesty, integrity, self-reliance and faith in God thrive in abundance today.

It is truly unfortunate anyone finds such attributes offensive. These are the very values our country needs if the new Millennium is to be as prosperous as the present.

Clearly, rural America is the bedrock of our culture and the salvation of our Republic. Before more of Washington's elite determine otherwise, they would do well to check their facts, consider the farmer, and possibly even say a word of thanks before supper.

Mr. HOEKSTRA. Mr. Speaker, I yield to my colleague from Arizona.

Mr. HAYWORTH. Mr. Speaker, we stand at an epic juncture in American history, because despite the protestations from those who would belong to a third party movement, there is no clearer difference that exists in American political life than what exists in this Chamber. Because my friends on the left, so trusting of the powers of the Federal Government, powers that have grown excessive, that have grown overreaching, that have grown abusive throughout this century; so abusive, Mr. Speaker, to the point that the power of the Federal Government reaches into the pocket of every law-abiding American, my friends on the left place their faith in that burgeoning bureaucracy. Mr. Speaker, the contrast could not be clearer, because those of us in the common sense conservative majority take literally the first 3 words of this document, the Constitution of the United States.

Mr. Speaker, I would note, and not without some irony, especially given the tenor of the rhetoric from the White House and from the Vice President and from our friends on the left, the first 3 words of this document are not they, the bureaucrats. No, Mr. Speaker, the first 3 words of this document read, ''We, the people.'' And despite the fact that a Fox News Opinion Dynamics Poll taken in the space of the last 10 days of 500 Americans at large, when asked, where does the Federal Government get its money? Despite the fact, Mr. Speaker, that some 50 percent of those respondents replied, oh, the Federal Government has its own special supply of money, and 39 percent answered correctly that the money with which the Federal Government operates comes from the people, the taxpayers, Mr. Speaker, we understand our mission loudly and clearly. As Abraham Lincoln said, Mr. Speaker, the American people, once fully informed, will make the right decisions.

Mr. Speaker, I stand here tonight to reaffirm this basic truth. The money does not belong to Washington bureaucrats.

□ 2350

It does not belong to they, the bureaucrats. It belongs to we, the people.

Mr. HOEKSTRA. Mr. Speaker, it is not only what the Constitution says, although it drives who we are and what we should do, but the lessons as to why the Framers of the Constitution were so brilliant, we only have to go back to when we reformed welfare.

When welfare decisions were being made by bureaucrats in Washington, we were not moving people out of welfare. When we debated here on the floor of the House, and we took the examples of like the State of Wisconsin, that the State legislature, the Governor, they came up with a program to move people off of welfare into the work force, and the bureaucrats here in Washington said, no, you cannot do that; or even worse than that, they did not give them any answer at all.

I think it went on for over 300 days, when we had to stay unified, Democrats and Republicans saying this is what we want to do to help our people in Wisconsin, and the bureaucrats did not even have the courtesy of sending them a reply.

But when we took the welfare program and gave it back to the States, we have seen phenomenal results. It is the same model that we want to put on one of our priority projects, education. We do not want more bureaucrats here in Washington telling people who know our kids' names what they need to do in the classroom. Let the people at the local level do it. Let us empower people at the local level.

It is why we are having a tax relief package that says, let people, let families, let moms and dads, decide what to do with an 800 or 1,000 or 1,500 hours a year. Let them decide how they want to allocate that among the priorities that they have, whether it is a car, whether it is education, or whether it is health care. But let us not let a bureaucrat or politician in Washington make that decision for them.

The same thing with retirement. Let us make sure that we secure the future for our seniors by setting aside 100 percent of the FICA taxes over the next 10 years. Let us set that aside to save social security and to save Medicare, to remove that stress from them.

I yield to the gentleman from Colorado (Mr. TANCREDO), and I thank the gentleman for joining us.

Mr. TANCREDO. Mr. Speaker, I thank the gentleman for recognizing me, to allow me to discuss the subject. Something has been bothering me ever since the debate on the bill that we had on the floor of the House on the issue of the tax reduction.

I was observing the debate. It was heated. It was, I think for the most part, articulate and to the point. But one member of the opposition, a very prominent Democrat, stood at the well and said that he had been in this body for a number of years and he could remember, he said, that in 1981 we in fact put through a tax reduction package. It was actually I think in 1983.

He was talking about the fact that at that point in time, he was suggesting we were watching the same phenomenon, that we were going to put through a tax reduction package again and that we would see something similar occur.

He said what happened after we reduced taxes, essentially after the Reagan tax cuts, he said we saw an explosion of debt, and that the national debt increased dramatically. He was concerned, he said, because he believed the same thing was going to happen here.

I wanted to, at the time, come to the floor just to have the opportunity, and that is why I appreciate this moment now, to remind the gentleman that in fact what he said was accurate, we did have a tax rates reduction and we did have an explosion in debt, but it was not because we gave the people back their money, it was because there was such an increase in revenue to the Federal Government that it was, of course, spent by the Congress.

It was not a problem with the reduction of taxes, it was a problem in the increase in spending that caused the explosion in that debt.

That is exactly what we are trying to avoid with this tax cut proposal, because there is not a soul out there, Mr. Speaker, I do not care which side of the aisle Members are on, and I do not care

where Members are on the political spectrum, Members cannot believe, with history as our judge, Members cannot believe that this Congress, whether it was controlled by the Republicans or Democrats, would be given another $800 billion in the till, and we cannot believe that it would be used to ''pay down the national debt.'' It would be spent.

That is why this Congress, this majority, is hoping against hope that we can give that money back before it gets spent, or the gentleman from the other side who was talking the other night will be right, it will, of course, increase the national debt, because we will spend every dime of it if it is left here.

Mr. HOEKSTRA. I yield to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. I thank the gentleman. That is precisely right. The remarkable thing that this Congress needs to remember, that history shows us, and particularly the opponents who tried to stop us last week when we passed tax relief, is the lesson of President Kennedy, President Reagan, and in fact the lesson, unwillingly, the unwilling lesson learned by the present occupant of the White House. That is, cutting tax rates increases tax revenues to the Federal Government.

That is what President Kennedy discovered when he reduced tax rates. The economy grew, revenues poured into the Federal Government, people in Washington had all the money they needed to accomplish the things that they wanted to accomplish, and that is indisputable.

President Reagan reduced tax rates. Overall revenues to the Federal Government grew. The gentleman is right, at that time there was a different Congress in charge. They spent. What President Clinton discovered when the Republicans took control of the Congress was that when we reduced tax rates, the economy grows, and the Federal Government now has a surplus estimated to be to be at $800 billion over the next 10 years.

We voted last week to give it back to the American taxpayers.

Mr. HAYWORTH. If the gentleman will continue to yield, again, it bears repeating, because, Mr. Speaker, there are those in this town, principally those at the other end of Pennsylvania Avenue but also those who occupy the left side of this Chamber, who would earnestly yearn for a type of collective amnesia to embrace the American people.

The President of the United States has engaged in incredible revisionist history where he calls the largest tax increase in American history noble and justified; when he fails to recognize the contributions of this new commonsense conservative majority, which came in and reined in excessive spending, which led to this surplus; but also with his comments in January of this year, when again he stood at this podium and said, and Mr. Speaker, it bears repeating, that it was his intent to save 62 percent of the social security surplus for social security, which meant, of course, that he intended to spend the other 38 percent; and how that stands in stark contrast, Mr. Speaker, with our lockbox to lock away 100 percent of the social security surplus for social security.

Mr. Speaker, it bears repeating, consider these three $1 bills again to represent $3 trillion. Take away the zeros. This is what our commonsense conservative majority maintains should happen. Let us take two of those dollar bills, lock them away to save social security and Medicare, and Mr. Speaker, we are left with this dollar bill, representing roughly $1 trillion of additional surplus.

We have a choice, Mr. Speaker. If we leave it in Washington, given the proclivities of our president and the temptations which he cannot withstand, that money will be spent. We believe, as the commonsense conservative majority, that the money belongs to the people who sent it here. It should go back to those people.

For my friends on the left to claim these are tax breaks for the wealthy, it is an interesting definition of wealthy. Apparently they think folks who make $40,000 a year are wealthy because those folks pay almost four times as much in taxes as the folks who earn $20,000 a year.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague, and I thank my colleagues for joining me this evening.

Just on a final note, the problem here in Washington is not revenue. In 1999 we will collect $1,821,000,000,000. By 2009 that will have increased by 50 percent; that government revenues, if we do not provide tax relief, will have increased to $2,725,000,000,000.

The problem in Washington is not revenue, the problem is we are collecting too much. We need to give tax relief and we need to control spending. We are not cutting spending, we are just slowing the growth, so Federal programs can continue. We just need to control our appetites here in Washington and secure America's future by giving American families and American individuals some of their money back.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. FOWLER (at the request of Mr. ARMEY) until 1 p.m. today on account of official business at the Pentagon.

## 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 Ms. EDDIE BERNICE JOHNSON of Texas) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. HILLIARD, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Ms. JACKSON LEE of Texas, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. COYNE, for 5 minutes, today.

(The following Members (at the request of Mr. SMITH of Michigan) to revise and extend their remarks and include extraneous material:)

Mr. TOOMEY, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, August 3.

Mr. BILIRAKIS, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, today.

Mr. KUYKENDALL, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. SMITH of Michigan for 5 minutes, July 30.

Mr. DAVIS of Virginia, for 5 minutes, July 28.

Mr. UPTON, for 5 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. 296. An act to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes; to the Committee on Science.

S. 1402. An act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs in addition to the Committee on Armed Services 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.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 604. An act to direct the Secretary of Agriculture to complete a land exchange with Georgia Power Company.

S. 1258. An act to authorize funds for the payment of salaries and expenses of the Patent and Trademark Office, and for other purposes.

S. 1259. An act to amend the Trademark Act of 1946 relating to dilution of famous marks, and for other purposes.

S. 1260. An act to make technical corrections in title 17, United States Code, and for other purposes.

## ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), under its previous order the House adjourned until Thursday, July 29, 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:

3233. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Implementation of Preferred Lender Program and Streamlining of Guaranteed Farm Loan Programs Loan Regulations; Correction (RIN: 0560–AF38) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3234. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mexican Fruit Fly Regulations; Removal of Regulated Area [Docket No. 98–082–5] received July 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3235. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Hospital/Medical/ Infectious Waste Incinerator State Plan For Designated Facilities and Pollutants: Illinois [IL188–1a; FRL–6371–5] received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3236. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Texas; Revised Format for Materials Being Incorporated by Reference [TX–92–1–7368; FRL–6342–9] received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3237. A letter from the Acting Chief, Enforcement Division, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Policies and Rules Concerning Operator Service Providers and Call Aggregators [CC Docket No. 94–158] received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3238. A letter from the Special Assistant Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Indian Springs, Nevada, Mountain Pass, California, Kingman, Arizona, and St. George, Utah) [MM Docket No. 96–171 RM–8846 RM–9145] received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3239. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lufkin, Texas) [MM Docket No. 98–125] (RM–9301) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3240. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Genoa, Mt. Morris, and Oregon, Illinois) [MM Docket No. 99–64] (RM–9485) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3241. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Llano, Texas) [MM Docket No. 99–131 RM–9333] received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3242. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Spain and Italy [Transmittal No. DTC 31–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3243. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom, Spain, and Italy [Transmittal No. DTC 42–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3244. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France [Transmittal No. DTC 32–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3245. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 23–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3246. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France and the United Kingdom [Transmittal No. DTC 35–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3247. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–99, ''Equal Opportunity for Local, Small, or Disadvantaged Business Enterprises Temporary Amendment Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3248. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–98, ''Use of Trained Employees to Administer Medication Clarification Temporary Amendment Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3249. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–104, ''Taxicab Commission Temporary Amendment Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3250. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–105, ''Emergency Financial Assistance for Hospitals Temporary Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3251. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–97, ''Office of Cable Television and Telecommunications Temporary Amendment Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3252. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–102, ''Motor Vehicle Excessive Idling Fine Increase Amendment Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3253. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–100, ''Uniform Controlled Substances Temporary Amendment Act of 1999'' received July 22, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

## 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. HYDE: Committee on the Judiciary. H.R. 2031. A bill to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor; with an amendment (Rept. 106–265). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBSON: Committee of Conference. Conference Report on H.R. 2465. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–266). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2368. A bill to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands (Rept. 106–267). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 262. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2465) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–268). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 263. Resolution for consideration of the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–269). 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. LATHAM:

H.R. 2613. A bill to provide additional funding to combat methamphetamine production and abuse, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TALENT (for himself, Ms. VELAZQUEZ, Mrs. KELLY, Ms. MILLENDER-MCDONALD, Mr. HILL of Montana, Mr. DAVIS of Illinois, Mrs. BONO, Mrs. JONES of Ohio, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. PASCRELL, Mrs. MCCARTHY of New York, Mr. SWEENEY, Mr. COMBEST, and Mr. DEMINT):

H.R. 2614. A bill to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes; to the Committee on Small Business.

By Mr. TALENT (for himself, Ms. VELAZQUEZ, Mrs. KELLY, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Illinois, Mrs. JONES of Ohio, Mrs. BONO, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. HILL of Montana,

Mr. PASCRELL, Mrs. MCCARTHY of New York, Mr. SWEENEY, Mr. COMBEST, and Mr. DEMINT):

H.R. 2615. A bill to amend the Small Business Act to make improvements to the general business loan program, and for other purposes; to the Committee on Small Business.

By Mr. GOSS (for himself, Mr. DIXON, Mr. LEWIS of California, Mr. CASTLE, Mr. BOEHLERT, Mr. BASS, Mr. GIBBONS, Mr. LAHOOD, Mrs. WILSON, Mr. BISHOP, Mr. SISISKY, Mr. CONDIT, Mr. HASTINGS of Florida, Mr. GILMAN, Mr. OXLEY, and Mr. STEARNS):

H.R. 2616. A bill to clarify the policy of the United States with respect to the use and export of encryption products, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on International Relations, and Government Reform, 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. GOSS (for himself, Mr. LEWIS of California, Mr. BASS, Mr. GIBBONS, and Mr. LAHOOD):

H.R. 2617. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for development costs of encryption products with plaintext capability without the user's knowledge; to the Committee on Ways and Means.

By Mr. ACKERMAN (for himself, Mr. BOEHLERT, Mr. SMITH of New Jersey, Mr. BAKER, Mr. COBURN, Mr. COOK, Mr. CROWLEY, Mr. FORBES, Mr. FROST, Mr. GILCHREST, Mr. GOODE, Mr. HALL of Texas, Mr. HILLIARD, Mr. HINCHEY, Ms. KAPTUR, Mrs. KELLY, Mr. KING, Ms. LEE, Mrs. MALONEY of New York, Mr. MASCARA, Mr. MCHUGH, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Mr. NADLER, Mr. NEY, Mr. RAHALL, Mr. ROMERO-BARCELO, Mr. SANDERS, Mr. SERRANO, Ms. SLAUGHTER, Mr. TOWNS, Mr. WALSH, Mr. WEINER, and Mr. WHITFIELD):

H.R. 2618. A bill to amend title XVIII of the Social Security Act and title IV of the Balanced Budget Act of 1997 to eliminate the 15 percent reduction in payment amounts to home health agencies furnishing home health services under the Medicare Program, and to provide for a 36-month grace period for home health agencies to repay overpayments made by the Secretary of Health and Human Services; 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. CANNON:

H.R. 2619. A bill to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner; to the Committee on Resources.

By Mr. FOLEY (for himself, Mr. LEWIS of Georgia, and Mr. COOKSEY):

H.R. 2620. A bill to amend title XVIII of the Social Security Act to provide for coverage of glaucoma detection services under part B of 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. GREENWOOD (for himself, Mrs. JOHNSON of Connecticut, Ms. SLAUGHTER, Ms. JACKSON-LEE of Texas, and Mr. OSE):

H.R. 2621. A bill to amend the Public Health Service Act to provide for the establishment of a pediatric research initiative; to the Committee on Commerce.

By Mr. HAYES:

H.R. 2622. A bill to provide for a mechanism by which a Member of, or Member-elect to, Congress may decline an annual pay adjustment; to the Committee on Government Reform, and in addition to the Committee on House Administration, 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. LOFGREN:

H.R. 2623. A bill to amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers; to the Committee on International Relations, and in addition to the Committee on Armed Services, 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 Mrs. LOWEY (for herself, Mr. SHAYS, Mr. WEXLER, Ms. DELAURO, Ms. MILLENDER-MCDONALD, Ms. WOOLSEY, Ms. NORTON, Mrs. MALONEY of New York, Mr. OLVER, Mr. MCDERMOTT, Mr. ABERCROMBIE, Mr. TOWNS, Mr. WAXMAN, Mr. NADLER, Mr. MORAN of Virginia, Mrs. MINK of Hawaii, Mr. DEFAZIO, Mr. STARK, Mr. DIXON, Mr. SANDERS, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. FILNER, Mr. FROST, Mr. THOMPSON of California, Ms. PELOSI, Mr. BAIRD, Ms. DEGETTE, Ms. LEE, Ms. WATERS, Ms. SCHAKOWSKY, and Mr. HINCHEY):

H.R. 2624. A bill to protect women's reproductive health and constitutional right to choice, and for other purposes; to the Committee on Commerce, and in addition to the Committees on the Judiciary, Education and the Workforce, Armed Services, and Government Reform, 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. LUTHER (for himself, Mr. HOLDEN, Mr. FROST, Mr. BALDACCI, Mr. NORWOOD, Mr. OXLEY, Mr. FARR of California, Mr. VENTO, Mr. BISHOP, Mr. ABERCROMBIE, Mr. MCINTYRE, Ms. WOOLSEY, Mr. BARCIA, and Mr. FILNER):

H.R. 2625. A bill to amend title 10, United States Code, to temporarily expand the Department of Defense program by which State and local law enforcement agencies may procure certain law enforcement equipment through the Department; to the Committee on Armed Services.

By Mrs. ROUKEMA (for herself, Mr. LAZIO, and Mr. INSLEE):

H.R. 2626. A bill to amend certain consumer protection laws to facilitate the electronic delivery of disclosures and other information; to the Committee on Banking and Financial Services.

By Mr. STARK:

H.R. 2627. A bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the Medicare and Medicaid Programs; 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. WATTS of Oklahoma (for himself, Mr. LUCAS of Oklahoma, and Mr. WATKINS):

H.R. 2628. A bill to amend title XVIII of the Social Security Act to provide greater equity to Medicare-certified home health agencies, and to ensure access of Medicare beneficiaries to medically necessary home health services furnished in an efficient manner 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. HAYES:

H. Con. Res. 164. Concurrent resolution expressing the sense of the Congress that the President should adhere to a consistent policy with respect to the introduction of United States Armed Forces into hostile situations; to the Committee on International Relations.

By Mr. DOGGETT (for himself, Mr. BRADY of Texas, Mr. SHAYS, Mrs. CAPPS, Mr. OLVER, Mr. DEFAZIO, Ms. DELAURO, Mr. OBERSTAR, Mr. BLUMENAUER, Ms. NORTON, Mr. BENTSEN, Mr. HOUGHTON, Mr. BONIOR, Mr. SMITH of Texas, Mr. MEEHAN, Ms. PRYCE of Ohio, and Mr. VENTO):

H. Res. 264. A resolution expressing the sense of the House of Representatives honoring Lance Armstrong, America's premier cyclist, and his winning performance in the 1999 Tour de France; to the Committee on Government Reform.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SHOWS introduced A bill (H.R. 2629) for the relief of Juan Carlos Lemus-Medrano; 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. 6: Mr. RUSH.

H.R. 22: Mr. MILLER of Florida.

H.R. 44: Ms. PRYCE of Ohio and Mr. CRAMER.

H.R. 65: Ms. PRYCE of Ohio.

H.R. 179: Mr. GORDON.

H.R. 215: Mr. STRICKLAND.

H.R. 274: Ms. LEE.

H.R. 303: Ms. PRYCE of Ohio and Mr. GUTIERREZ.

H.R. 329: Mr. WEINER.

H.R. 348: Mrs. THURMAN.

H.R. 357: Mr. LIPINSKI.

H.R. 417: Mr. WU.

H.R. 486: Mrs. JONES of Ohio.

H.R. 534: Mr. SHUSTER, Mr. PITTS, Mr. DOYLE, Mr. SESSIONS, and Ms. GRANGER.

H.R. 623: Mr. SAWYER.

H.R. 664: Mr. REYES.

H.R. 701: Mrs. FOWLER, Mr. STRICKLAND, Mr. BOSWELL, Mr. KLINK, Mr. CAMP, and Mr. DAVIS of Virginia.

H.R. 721: Mr. OLVER and Mr. LOBIONDO.

H.R. 732: Mr. MORAN of Virginia and Mrs. BIGGERT.

H.R. 750: Mr. KILDEE and Mr. SPENCE.

H.R. 783: Mrs. THURMAN.

H.R. 802: Mr. BARCIA, Mr. WEINER, and Mrs. THURMAN.

H.R. 827: Mr. MENENDEZ, Mrs. KELLY, and Ms. MCKINNEY.

H.R. 828: Mr. PAYNE and Mr. KLINK.

H.R. 838: Mr. GORDON.

H.R. 910: Mr. MCKEON.

H.R. 933: Mr. ACKERMAN.

H.R. 997: Ms. LEE.

H.R. 1037: Mr. ABERCROMBIE and Ms. BROWN of Florida.
H.R. 1063: Mrs. MALONEY of New York.
H.R. 1070: Mr. GALLEGLY and Mr. CANADAY of Florida.
H.R. 1083: Mr. CLYBURN and Mr. MCHUGH.
H.R. 1084: Mr. MCINTOSH.
H.R. 1102: Mr. LEWIS of California.
H.R. 1116: Mr. TERRY.
H.R. 1130: Mr. HOLT.
H.R. 1180: Mr. REYES, Mr. SUNUNU, Mr. DIAZ-BALART, Mr. DEFAZIO, Mr. MCCOLLUM, Mr. WELDON of Pennsylvania, Mr. OWENS, Mr. HAYES, Mr. PORTER, Mr. CALLAHAN, and Mr. COSTELLO.
H.R. 1195: Ms. SANCHEZ.
H.R. 1215: Ms. ESHOO.
H.R. 1237: Mr. SMITH of New Jersey and Ms. BROWN of Florida.
H.R. 1256: Ms. MCKINNEY.
H.R. 1272: Mr. COBURN.
H.R. 1292: Mrs. MORELLA.
H.R. 1303: Ms. WOOLSEY.
H.R. 1313: Mrs. MINK of Hawaii, Mrs. LOWEY, and Mr. COYNE.
H.R. 1315: Mr. MCKEON and Mr. BERMAN.
H.R. 1325: Mr. PITTS and Mrs. MORELLA.
H.R. 1358: Mr. MORAN of Kansas.
H.R. 1441: Mr. MANZULLO and Mr. LEWIS of Kentucky.
H.R. 1482: Mr. BOUCHER.
H.R. 1505: Mr. MCNULTY, Mr. VISCLOSKY, Mr. MCGOVERN, Mr. GREEN of Texas, Mr. COSTELLO, Mr. MASCARA, and Mr. BLAGOJEVICH.
H.R. 1514: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1525: Mr. SANDERS and Mr. ANDREWS.
H.R. 1592: Mr. ENGLISH, Mr. BUYER, and Mr. SMITH of Washington.
H.R. 1621: Ms. SLAUGHTER, Mr. WALSH, Mr. RILEY, Mr. KING, Mr. CRAMER, and Mr. TOOMEY.
H.R. 1622: Mr. MOORE, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. WOOLSEY.
H.R. 1623: Mr. DINGELL, Mr. STRICKLAND, Mr. SANDLIN, and Mr. SANCHEZ.
H.R. 1629: Ms. ROYBALL-ALLARD, Mr. CRAMER, Mr. BERRY, and Mr. ALLEN.
H.R. 1648: Mr. MALONEY of Connecticut.
H.R. 1689: Mr. ISAKSON.
H.R. 1728: Mr. LOFGREN.
H.R. 1750: Mr. GEJDENSON and Mr. WATT of North Carolina.
H.R. 1777: Mr. TIERNEY and Mr. JOHN.
H.R. 1791: Mr. SHERMAN.
H.R. 1816: Mr. STARK and Mr. WEINER.
H.R. 1820: Mr. HINCHEY and Mr. FATTAH.
H.R. 1824: Mr. UPTON.
H.R. 1838: Mr. CALVERT, Mr. FOLEY, and Mr. GEJDENSON.
H.R. 1839: Mr. WELDON of Pennsylvania.
H.R. 1840: Ms. MCKINNEY.
H.R. 1841: Mr. WEYGRAND, Mr. GREEN of Texas, Mr. FROST, and Mr. BLAGOJEVICH.
H.R. 1887: Mr. PRICE of North Carolina, Mr. WEINER, Mr. PETERSON of Minnesota, and Mr. METCALF.
H.R. 1896: Mr. BOUCHER, Mr. MCDERMOTT, and Ms. MCKINNEY.
H.R. 1932: Mr. REYNOLDS and Mr. TOWNS.
H.R. 1960: Mr. BONIOR, Mr. MEEKS of New York, Ms. HOOLEY of Oregon, Ms. ESHOO, Mr. UNDERWOOD, and Mr. CLEMENT.
H.R. 1987: Mr. TALENT, Mr. MCINTOSH, Mr. CAMPBELL, and Mr. SAM JOHNSON of Texas.
H.R. 1990: Mr. HOYER.
H.R. 1998: Mrs. JOHNSON of Connecticut and Mr. DELAHUNT.
H.R. 1999: Mr. SERRANO.
H.R. 2004: Mr. LIPINSKI and Mr. HOLDEN.
H.R. 2030: Ms. SANCHEZ.
H.R. 2060: Mr. HILLIARD and Mrs. BIGGERT.
H.R. 2120: Mr. TIERNEY.
H.R. 2241: Mr. COSTELLO, Mr. FLETCHER, Mr. FROST, and Mrs. MCCARTHY of New York.
H.R. 2247: Mr. HILL of Montana.
H.R. 2252: Mr. FOLEY.
H.R. 2260: Mr. COMBEST and Mr. SESSIONS.
H.R. 2268: Mr. EDWARDS.
H.R. 2283: Mr. LIPINSKI.
H.R. 2308: Mr. LAZIO.
H.R. 2319: Mr. UNDERWOOD, Mr. BEREUTER, Mr. GREEN of Texas, Mr. ENGLISH, and Mr. GUTIERREZ.
H.R. 2320: Mr. RYAN of Wisconsin and Mr. DEMINT.
H.R. 2337: Mr. HILL of Montana and Mr. YOUNG of Alaska.
H.R. 2345: Ms. SLAUGHTER.
H.R. 2348: Ms. DEGETTE and Mr. UDALL of New Mexico.
H.R. 2369: Mr. HINCHEY, Mr. HOLT, Mr. MCNULTY, and Mr. PALLONE.
H.R. 2372: Mr. BARTLETT of Maryland and Mr. BARTON of Texas.
H.R. 2386: Mr. KUCINICH.
H.R. 2401: Mr. LANTOS, Mr. BECERRA, Mr. FRANKS of New Jersey, Mr. ENGLISH, Mr. GUTIERREZ, Mr. PALLONE, Mr. MCNULTY, Ms. WOOLSEY, Mr. DEUTSCH, Mr. EHRLICH, Mr. FROST, Mr. WAXMAN, Mr. BERMAN, and Mr. VENTO.
H.R. 2436: Mr. HAYES, Mr. BOEHNER, Mr. ENGLISH, Mr. BLUNT, Mr. BARCIA, and Mr. PHELPS.
H.R. 2439: Ms. LEE.
H.R. 2442: Ms. SLAUGHTER, Mr. HOEFFEL, Mr. WEYGAND, Mr. RANGEL, Mr. KILDEE, Mr. TERRY, and Mr. CAPUANO.
H.R. 2457: Ms. RIVERS.
H.R. 2505: Mr. FILNER, Mr. FROST, Ms. LEE, Mr. ABERCROMBIE, and Mr. SANDERS.
H.R. 2515: Mr. DEUTSCH.
H.R. 2550: Mr. POMBO, Mr. YOUNG of Alaska, Mr. DOOLITTLE, Mr. SKEEN, Mr. WALDEN of Oregon, Mr. RYUN of Kansas, Mr. GIBBONS, Mr. SAM JOHNSON of Texas, Mr. RADANOVICH, Mr. KNOLLENBERG, Mr. SOUDER, Mr. PACKARD, Mr. TANCREDO, Mr. CUNNINGHAM, Mr. MCINNIS, and Mr. STUMP.
H.R. 2551: Mr. BLILEY, Mr. TALENT, Mr. GOODE, Mr. BRYANT, Mr. EVERETT, and Mr. FOLEY.
H.R. 2572: Mr. BURTON of Indiana, Mr. KUCINICH, Mr. HILLIARD, Mrs. THURMAN, Mr. SCARBOROUGH, Mr. GREEN of Texas, Mr. FROST, Mr. ENGLISH, Mr. LATOURETTE, and Mrs. JONES of Ohio.
H.R. 2573: Mr. FROST and Mr. OLVER.
H.R. 2584: Mr. ENGLISH.
H.J. Res. 55: Ms. LEE.
H. Con. Res. 80: Mr. NORWOOD, Mr. GOODLING, Mr. BAIRD, Mr. CLAY, Mr. BROWN of Ohio, Mr. NEY, Mr. FORD, Mr. WAMP, and Mr. KILDEE.
H. Con. Res. 119: Mrs. KELLY.
H. Con. Res. 128: Mr. BAUCHUS, Mr. MINGE, Mr. MCGOVERN, Mr. SABO, Mr. TIERNEY, Mr. MARKEY, Mr. LUTHER, Mr. FRELINGHUYSEN, Mr. TOOMEY, Mrs. MEEK of Florida, Mr. HAYWORTH, Ms. BROWN of Florida, Mr. MATSUI, and Mr. LAZIO.
H. Con. Res. 147: Mr. DEUTSCH, Mr. UNDERWOOD, Mr. WEINER, Mr. MORAN of Virginia, and Mrs. THURMAN.
H. Res. 239: Mr. LARGENT and Mr. SALMON.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2587

OFFERED BY: MR. STEARNS

AMENDMENT NO. 3: Page 11, line 20, strike the period at the end and insert the following: ''*: Provided further,* That nothing in this Act prohibits the Department of Fire and Emergency Medical Services of the District of Columbia from using funds for automated external defribillators.''.

H.R. 2606

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 5: Page 116, after line 5, insert the following:

PROHIBITION ON FUNDS FOR OIL PIPELINE FROM BAKU, AZERBAIJAN TO CEYHAN, TURKEY

SEC. 585. None of the funds made available by this Act may be used for any guarantee, insurance, extension of credit, participation in an extension of credit, reinsurance, financing, other financial or technical assistance, or other activities in connection with the purchase or lease of any good or service, or in connection with any project or activity, related to the development, construction, or maintenance of an oil pipeline from Baku, Azerbaijan, to Ceyhan, Turkey, unless there is in effect an unrescinded certification by the Secretary of State that there is a settlement to the conflict in Nagorno-Karabakh.

H.R. 2606

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 6: Page 116, after line 5, insert the following:

PROHIBITION ON FUNDS FOR NEW OPIC PROJECTS

SEC. 585. None of the funds made available by this Act may be used by the Overseas Private Investment Corporation, after the enactment of this Act, for the issuance of any new guarantee, insurance, reinsurance, or financing, or for initiating any other activity which the Corporation is otherwise authorized to undertake.

H.R. 2606

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 7: Page 7, line 10, after the dollar amount, insert the following: ''(increased by $10,000,000)''.

Page 27, line 6, after the first dollar amount, insert the following: ''(reduced by $10,000,000)''.

H.R. 2606

OFFERED BY: MR. MICA

AMENDMENT NO. 8: Page 22, line 17, before the period insert the following: ''*: Provided further,* That of the amount appropriated under this heading, $37,500,000 shall be made available in assistance for the antinarcotics directorate (DANTI) of the Colombian National Police as follows: (1) $3,500,000 for GAU 19 protection systems for the 6 existing Black Hawk utility helicopters of the Colombian National Police, including 1 such system for each helicopter, mounting, installation, and a maintenance and training package; (2) $3,500,000 for .50 caliber ammunition for such GAU 19 protection systems; (3) $2,500,000 for upgrade of the hangar at the Guaymaral helicopter base; (4) $6,500,000 for construction of a hangar facility at the El Dorado Airport in Bogota, Colombia, to provide a secure area for storage and maintenance work on the fixed wing and rotar wing aircraft of the Colombian National Police; (5) $2,500,000 to purchase 19 additional MK–44 miniguns for the ''Huey'' II utility helicopters to be provided to the Colombian National Police; (6) $3,500,000 for 7.62 ammunition for such MK–44 miniguns; (7) $8,000,000 for forward looking infra red (FLIR) systems for 15 of the ''Huey'' II utility helicopters referred to in paragraph (5); (8) $3,500,000 for field gear for aviation and ground officers of the Colombian National Police, including ballistic protective mats, ballistic protective vests, helmets and field harnesses, canteens, and magazines; (9) $3,000,000 for the establishment and operation of a Colombian National Police customs facility in Cartagena, Colombia, including additional training for Colombian National Police personnel by United States Customs Service personnel; and (10) $1,000,000 for intelligence equipment for the Colombian National Police, including sensors and monitoring and surveillance equipment.

H.R. 2606

OFFERED BY: MR. PAUL

AMENDMENT NO. 9: At the end of the bill, insert after the last section (preceding the short title) the following:

LIMITATION ON FUNDS FOR ABORTION, FAMILY PLANNING, OR POPULATION CONTROL EFFORTS

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be made available for—

(1) population control or population planning programs;

(2) family planning activities; or

(3) abortion procedures.

H.R. 2606

OFFERED BY: MR. STEARNS

AMENDMENT NO. 10: Page 116, after line 5, insert the following:

REPORT ON ATROCITIES AGAINST ETHNIC SERBIANS IN KOSOVO

SEC. ____. None of the funds appropriated or otherwise made available by this Act in title III under the heading ''PEACEKEEPING OPERATIONS'' may be obligated or expended for peacekeeping operations in the Kosovo province of the Federal Republic of Yugoslavia (Serbia and Montenegro) until the Secretary of State prepares and submits to the Congress a report containing a detailed description of the atrocities that have been committed against ethnic Serbians in Kosovo, including a description of the incident in which 14 Serbian farmers were killed on or about July 25, 1999, and a description of actions taken by North Atlantic Treaty Organization (NATO) forces in Kosovo to prevent further atrocities.

H.R. 2606

OFFERED BY: MR. STEARNS

AMENDMENT NO. 11: Page 116, after line 5, insert the following:

LIMITATION ON FUNDS FOR PEACEKEEPING OPERATIONS IN KOSOVO

SEC. ____. None of the funds appropriated or otherwise made available by this Act in title III under the heading ''PEACEKEEPING OPERATIONS'' may be obligated or expended for peacekeeping operations in the Kosovo province of the Federal Republic of Yugoslavia (Serbia and Montenegro).

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, JULY 27, 1999 No. 107

# Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

## PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, we echo the Psalmist's prayer as we begin this day: ''Be merciful to us and bless us, and cause Your face to shine upon us, that Your way may be known on earth.''—Psalm 67:1–2.

Father, You have already answered so much of this prayer. You have been merciful in the abundance of Your blessings and Your unmerited grace. You have forgiven us when we have failed, and You have given us new beginnings. Most of all, we praise You for Your smiling face that gives us confidence and courage. We are moved by the reminder that in Scripture the term ''Your face'' is synonymous with Your presence.

Praise You, Lord, for Your desire to be with us and to share in the struggle for progress. You give strength and power when we seek Your will and desire to do Your desires. We humble ourselves as we begin this day. We want nothing to block Your blessing. We relinquish any self-serving spirit or agenda that would diminish our ability to be blessed or to be a blessing to our beloved Nation. Give us clear minds to receive Your guidance and courageous voices to speak Your truth. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable CHUCK HAGEL, a Senator from the State of Nebraska, 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.

## RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. HAGEL). The distinguished acting majority leader is recognized.

## SCHEDULE

Mr. GORTON. Mr. President, today the Senate will be in a period of morning business until 10 o'clock. Following morning business, the Senate will begin consideration of any available appropriations bills. Amendments are expected to be offered, and therefore Senators can expect votes throughout the day's session.

For the information of all Senators, the Senate is expected to begin consideration of the reconciliation bill during Wednesday's session of the Senate. That legislation is limited to 20 hours of debate, and therefore it is hoped the Senate can complete action on that bill Thursday.

I thank my colleagues for their attention.

## MORNING BUSINESS

Mr. CAMPBELL. Mr. President, are we in morning business?

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to exceed 30 minutes with Senators permitted to speak therein for up to 5 minutes each, with the time equally divided in the usual form.

The Senator from Colorado is recognized.

(The remarks of Mr. CAMPBELL pertaining to the introduction of S. 1438 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CAMPBELL. Mr. President, I yield the floor. I 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. I ask to be recognized in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois is recognized for up to 5 minutes.

## TAX CUTS

Mr. DURBIN. Mr. President, during the course of this week, we will debate in this Chamber one of the most important issues in terms of the future of our economy.

Most of us can remember it was not that many years ago that the Federal budget was swimming in red ink. My Republican colleagues came to the floor of this Senate 2 years ago begging for the passage of a constitutional amendment to balance the budget. They were so distraught and despondent over deficits that they said the only way to bring this House into order was for us to have the Federal courts impose their will on Congress: The Federal courts must stop Congress from spending. The so-called balanced budget amendment failed by one vote. There were great tears shed on the floor of the Senate by Republican Members and even a few on the Democratic side that we had missed the opportunity to end the era of deficits.

Barely 24 months later and how this world has changed. We are now in the world of surpluses, or at least anticipated surpluses. President Clinton's deficit reduction plan of 1993 accounts for about 80 percent of this deficit reduction and surplus creation, and the other part came from bipartisan agreements since that time.

My Republican colleagues have shifted from this debate about amending the Constitution, saying we are so awash with money in Washington that we have surpluses to be given back to

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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people in the form of tax breaks, primarily for the wealthiest of Americans.

Many on the Democratic side take a more conservative view. It is hard, I am sure, for our Republican friends to stomach this, but we are the conservative party when it comes to fiscal issues because we believe if there is to be a surplus, it should be dedicated first to making certain Social Security is strong for decades to come; second, to make certain Medicare receives an infusion of capital so we don't see an increase in premiums or a reduction in services; and third and most important, buy down the national debt.

We can speculate for hours on end on the floor of the Senate about the state of America and its economy. However, certain things are obvious. We have more than $5 trillion in national debt that costs $1 billion a day in interest. We have a Social Security system that needs money. We have a Medicare system that does, as well. We should take care of those three items before we go off on some lark of spending $1 trillion in tax breaks for wealthy people.

One might expect to hear that from a Democratic Senator and expect to hear the opposite from a Republican Senator because that is the nature of this debate. I appeal to the American people to step back for a second and look for a credible, objective arbiter. Let me make a suggestion: Alan Greenspan, Chairman of the Federal Reserve Board, who is credited as much as the Clinton administration with bringing about the economic prosperity that has brought down inflation, increased employment, increased the number of new businesses, increased housing. What does Alan Greenspan say about the $1 trillion tax cut? He says it is not wise, not good policy. He said there may be a time in a recession when a tax cut makes sense but to put this tax break for wealthy people on the books now is to fuel an economy too much, to create inflationary pressure.

What would be the response of the Federal Reserve Board? Obviously, raise interest rates. What happens when interest rates are raised? The cost of a mortgage payment goes up for people who have an adjustable rate mortgage. People who have equities in mutual funds for retirement find those equity values falling as interest rates go up. Chairman Alan Greenspan, the objective arbiter, says to the Republicans: Please, stop; don't do this. You are overreacting to what we hope is the good news of a surplus.

That is the critical difference.

We know the Republican tax breaks are primarily geared for wealthy people. We know after 5 years, the Republicans have to dip into the Social Security trust fund to pay for their tax breaks. We know they provide no money whatsoever for Medicare. We know that if we follow their scenario we will be forced on the floor of the Senate and the House of Representatives to make dramatic cuts in education, in environmental protection, in the basics that Americans expect from our Federal Government.

It is a recipe for economic disaster and a recipe for fiscal irresponsibility.

Mr. SCHUMER. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mr. SCHUMER. I thank the Senator for yielding.

One of our great historians said those who don't learn the lessons of history are condemned to repeat it. We are about to repeat the same kind of mistake that was made 20 years ago. We have an economy that is moving along smartly and well. We have inflation in check. We have job growth. Americans are prosperous and happy.

All of a sudden, almost with happy recklessness, the other side wants to blow all this up.

In 1981, we passed a huge dramatic tax cut. What happened? Interest rates went through the roof. Unemployment rates went from 4 or 5 percent to 7, 8, or 9 percent. Americans were out looking for work. It took an entire decade to rectify that.

Adding insult to injury, not only is this idea reckless in terms of the soundness of our economy as my colleague from Illinois has brought up and as Alan Greenspan stated, now we have CBO, which has always been known as a bipartisan, careful agency, saying this huge tax cut is very wrong, as every major economist that I have read about has also stated. It should be done when we move into recession if, God forbid, we do but not now.

CBO says this balances the budget better than saving the money and putting it aside for debt reduction and for Medicare. The world is almost being turned upside down. I plead with the CBO Director to get his bearings. I have never seen CBO act in such a wild and almost irresponsible way.

We know the budget caps are going to be lifted. What did the Republican leadership do in the House yesterday? They passed another emergency bill. Last week, the census was an emergency, not contained in the budget caps. This week, it was something new. Just yesterday there was an emergency, another $5 billion. They are going over the budget caps. CBO says they won't; it will go to debt reduction. It is absolutely awful.

CBO is one of the few compasses we have as we sail through these new economic waters. For them to get so partisan and so off base by making an assumption that is virtually laughable, I plead with the head of CBO to reexamine his statements. To say a $1 billion tax cut will reduce the deficit more, or a $700 billion tax cut will reduce the deficit more than a $300 billion tax cut, with most of the remainder going to be put aside for debt reduction to help the Medicare system is absurd.

I ask the Senator from Illinois his view of what CBO is doing. When we lose our moorings, when we lose our lodestars, when the whole debate becomes entirely political, we are in trouble.

Mr. DURBIN. I agree with my colleague from New York. We have not run into such economic doubletalk and gobbledygook since the days of the appropriately named Laffer curve.

I yield to the Senator from California.

Mrs. BOXER. I thank the Senator for yielding for a question. I want to join in on the CBO question. I have gotten to the point where I don't listen to any bureaucrats. I listen to the Nobel Prize-winning economists. They are saying the Republican plan is risky and dangerous. Many signed a letter. I am going with them.

We cannot trust the CBO anymore.

I want to ask my friend about the tax break and the question: Is this fair? The Senator has an important chart. I found out yesterday under the Republican Senate plan anyone earning $1 million a year gets back $30,000 each and every year in a tax break, while those at the bottom hardly get anything.

I want to pose a question to my friend from Illinois. A millionaire gets back $30,000. That equals the average income of an average citizen. In other words, a millionaire gets back as much in a tax cut as the average American, who gets up every day and goes to work for 8 hours a day, earns in a year.

I pose the question to my friend: Is this fair?

Mr. DURBIN. I think the Senator from California has once again identified the Achilles' heel of Republican tax policy. They just cannot help themselves. Whenever it comes time for a tax break, they always want to give it to Donald Trump. I think Mr. Trump is doing well. I think Mr. Gates is doing very well. I don't think they need a tax break to be inspired to go to work tomorrow. The Republicans insist that is the case.

Look what it does: For the top 1 percent of wage earners in America, the Republican plan, the Republican tax breaks give an average of almost $23,000 a year. Of course, for those bottom 60 percent, people with incomes below $38,000 a year, they receive $139 a year.

The Republicans say: Wait a minute, the rich are paying all the taxes; they should get the tax break; it should come back to them.

Yet when you look at it, they are taking them at the expense of working families who are concerned about the future of Social Security, concerned about the future of Medicare, and want to make certain we keep up with our basic commitments to education and environmental protection.

The PRESIDING OFFICER (Mr. BUNNING). The Senator's time has expired.

Mr. DURBIN. I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I ask unanimous consent to have the time extended to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SNAKE RIVER DAMS

Mr. GORTON. Mr. President, Senators from the Northwest are sometimes frustrated in trying to get our message across, to deliver or reflect the views of our constituencies almost 3,000 miles away, and to let our Senate colleagues from around this country understand what it's like to live in the Northwest.

The Northwest is known for clean air and water, a high quality of life, picturesque landscapes, the beauty and majesty of the Cascade and Olympic Mountains, the rolling hills of the Palouse, lush wooded forests, sparkling lakes, a playground for backpackers, hikers and recreational enthusiasts, home of America's success story—Microsoft, the apple capital of the world, breadbasket to the nation, a vibrant salmon fishery and home of the most wonderful people who possess a zest for life and fierce instinct to preserve and protect these truly unique qualities of my great state of Washington and of Oregon, Idaho, and Montana as well.

Mr. President, I share the passion of my constituents. I consider it an honor to represent a state as great and diverse as mine. But what is often overlooked is the fact that our hydroelectric power system plays a central role in keeping Pacific Northwest a clean, healthy, and affordable place to live, work, play, and raise a family.

I have come to this floor many times to explain what makes the Northwest tick to my colleagues and to others unfamiliar with the region. And I have been frustrated or puzzled by the reaction I get when I reflect the views of my state, and in particular, my eastern Washington communities.

We have been waging a battle with this administration, radical environmental organizations, and other dam removal advocates over the issue of removing Columbia-Snake River dams.

Advocates of dismantling our Columbia River hydro system place the choice in stark terms of dams or salmon. That choice, presented in such terms, is false. The truth is that by applying adaptive management to our hydro system, we can and will preserve endangered salmon runs and our valuable hydro system.

I reject the false choice of salmon versus the Columbia hydro system. I believe passionately that we can and will restore a vibrant salmon fishery to the Columbia and that we can do so within the confines of the hydro system.

To an outsider, one would think the administration has the momentum. Interior Secretary Bruce Babbitt has been a roll—tearing down dams from the California coast to Maine in the Northwest.

Incidentally, however, we may be a new ally in Vice President ALBERT GORE. While he has been known as a removal advocate, last week, in order to get a photo opportunity on the Connecticut River, he had a dam release some 4 billion gallons of water in order that he could go cancoeing. Perhaps now we have found a new use for dams and a new ally in the Vice President, as long as we can offer him canoeing activities by releasing water.

Most of us in the region believe we have the facts and support on our side to defeat those who wish to remove the Snake River dams and thereby destroy a central piece of the Northwest economy and a way of life for millions of Northwesterners.

I have asked myself—What do we have to do?

We can have thousands rally to ''Save Our Dams''—as we did in eastern Washington and Oregon communities earlier this year.

We can have our local, State, and Federal officials unite in their opposition to dam removal, and we have added Governor Gary Locke and Senator MURRAY to the ranks of those opposed to removing our eastern Washington dams.

And we can have scientists, federal agencies, and even environmental groups point to global warming as a major cause for salmon decline.

We can have the National Marine Fisheries Service scientists tell us, in a report released April 14, that the chance of recovery for a few distinct salmon runs is only 64 percent if all four lower Snake River dams are removed, as against 53 percent by continuing to transport smolts around the dams—a difference that is barely statistically significant.

And we can have recent media reports tell us that the ''Outlook is bright for salmon runs this year.'' In this July 12 Seattle Times article, scientists and biologists are predicting a potential rebound in salmon stocks in the Pacific Northwest. And the reasons they cite are: improved ocean conditions, better freshwater conditions, and cutbacks in fishing.

But still we hear the dam removal clamor from national environmental groups and bureaucrats in the Clinton-Gore administration. And we have an energized Interior Secretary who in his words has been ''out on the landscape over the past few months carrying around a sledgehammer'' giving speeches saying ''dams do, in fact, outlive their function'' and ''despite the history and the current differences over dams, Babbitt said he believes change is inevitable.'' (Trout Unlimited Speech, CQ, July 17, 1999)

Here I am again, to share some compelling statistics recently released by the Army Corps of Engineers that further prove that removing dams in eastern Washington would be an unmitigated disaster and an economic nightmare.

Ten days ago, the Corps released three preliminary economic studies that will be included in an overall Lower Snake River Juvenile Fish Migration Feasibility Study set for completion later this year.

The Corps studies quantified the economic impact of the removal of the four Snake River dams as removal relates to the region's water supply, navigation, and power production.

I simply cannot overstate the importance of these studies and what they mean for the future of the Pacific Northwest, its economy and the livelihood of our families and communities.

That is why I was surprised when there was little attention paid to the release of these three studies. I can remember that as recently as March of this year when the Corps was preparing to release a study on recreation benefits involving the four lower Snake River dams, environmental groups including the Sierra Club, NW Sportfishing Industry Association, Trout Unlimited, and Save Our Wild Salmon were tremendously successful in getting the media's attention and substantial coverage of their claims that removing the four Snake River dams would bring a $300 million annual recreational windfall to the region.

The environmental groups leaked the $300 million number knowing that the study was incomplete, but the false information made big news. Then, the report was completed and the truth was told. In fact, the real number, according to the Corps report is: ''Under the natural river drawdown alternative, the value of recreation and tourism then increased to $129 million annually, which represents an increase of about $67 million per year.''

Why did this report, with complete analysis, receive so little attention:

I am again surprised at the lack of attention given to the results of the latest three studies, which standing alone, send such a clear signal to this administration, radical environmental groups, and dam removal advocates everywhere that they should abandon their cause.

Let me share these numbers with you:

First, starting with power production:

The economic effect of breaching on the region's power supply would be $251 million to $291 million a year.

Residential bills for Northwest families and senior citizens would increase $1.50 to $5.30 per month.

But the region's industrial power users, which rely on cheap power to provide thousands of jobs can see a monthly increase ranging from $387 to $1,326. Our aluminum companies would see an increase in their monthly bills ranging from $222,000 to $758,000.

If the Snake River dams are breached, how would we replace the 1,231 megawatts the dams produce annually? Keep in mind it takes 1,000 megawatts to serve Seattle. The answer is, there is no cheap alternative. We can increase power production at thermal power plants or build new gas-fired combined-combustion turbine plants.

Finally, these power estimates wouldn't be complete without reminding my colleagues that last month the Administration sought to collect at least $1 billion beyond normal power costs to create a 'slush fund' to fund the removal of the four Snake river dams. I was delighted to pass any amendment prohibiting the Bonneville Power Administration from raising rates on Northwest power customers for a project they don't even want.

Second, lets look at irrigation.

The Corps report assumes that there is no economically feasible way to continue to provide irrigation to the 37,000 acres of farmland served by the four Snake River dams. The report assumes 37,000 acres of farmland will be taken out of production as a result of breaching those dams.

What does this loss of water supply mean for eastern Washington?

The loss of irrigated farmland would cost $9.2 million annually.

The cost to retrofit municipal and industrial pump stations would be $.8 to 43.8 million a year.

The cost to retrofit privately-owned wells would be 43.9 million annually.

In light of these sobering statistics, what options would be left for irrigators? The Corps estimated the economic effect on dam breaching on farmland value would amount to more than $134 million. The Corps also considered ways to alter the irrigation system in order to continue to irrigate the 37,000 acres—to accomplish this alternative, we would have to spend more than $291 million—more than the value of the land. Our farmers and agricultural communities are struggling enough as it is, and removing their ability to even water their crops puts them beyond despair. Therefore, the Corps assumes this irrigated farmland will disappear.

Lastely, let's look at transportation:

The Corps studied transportation impacts of breaching the four Snake river dams.

The transportation costs resulting from breaching the four Snake River dams would rise to $1.23 per bushel from .98 cents per bushel—a 24 percent increase.

The annual increase in transportation costs to the region would be $40 million for all commodities.

Breaching the four dams would remove 3.8 million tons of grain from the Snake River navigation system. Of this 3.8 million, 1.1 million would move to rail transportation and 2.7 million tons would move to truck transportation.

According to the report, barge transportation of commodities on the Snake river limits the cost of rail transportation and truck transportation. Removing competition among these types of transportation could drive up costs. According to the report, barge transportation has saved, on average, $5.95 in per ton when compared with other transportation alternatives. ''Disturbing this competition would be one of the most important regional consequences of permanent drawdown.''

According to the Washington State Legislative Transportation Committee, additional costs resulting from road and highway damage range from $56 million to $100.7 million.

Further, it is important to note that the navigation system of the Columbia allows enough barge transportation that if it were destroyed, more than 700,000 18-wheelers a year would be added to our already congested state roads and highways to replace the lost hauling capacity. (Source: Pacific Northwest Waterways Association)

I want to put all this together and construct a picture for you and what this scenario would mean in eastern Washington.

In exchange for breaching or removing the four Snake river dams, here's what the citizens of the Pacific Northwest could get:

We would lose four dams that produce hydro-power, which emit no pollutants into the air, for a thermal based power source that would jeopardize the clean air unique to the Northwest and enjoyed by countless residents and visitors to our state.

The 37,000 acres of irrigated farmland in Franklin and Walla Walla counties and the hundreds of employees that help supply food to more than a million people would disappear.

There is a likelihood that there would be a temporary loss of water for well users after dam breaching due to the inability to alter well depths until the actual removal of dams.

The increased truck traffic on our roads to haul wheat and barley to coastal ports will have an adverse effect on air quality and impose an additional financial burden on the family farm, which for many would be too much to bear and force them to give up their land.

So what do we get by removing the four Snake River dams? Shattered lives, displaced families and communities who will have seen their livelihoods destroyed, generations of family farmers penniless, industries forced to drive up consumer costs, air pollution, a desert that once bloomed with agriculture products goes dry, a far less competitive Northwest economy and a Northwest scrambling to repay a BPA treasury debt with less revenue, and scrambling to buy or build higher cost polluting sources of power.

So according to these three latest studies, the bottom line is that if we breach the four dams to increase our chances of bringing a select number of salmon runs back by only 11%, the Northwest will suffer economic impacts of $299 to $342 million a year in perpetuity. This staggering figure doesn't even include the estimated $1 billion it would take to actually remove the dams.

If we remove the Snake river dams, over the next 24 years we only improve our chances of recovering spring and summer chinook to the survival goals set by NMFS by 11 to 30 percent over the current system of barging. Over 24 years, NMFS would like to reach the survival standard of returning 150 to 300 spring and summer chinook to the Snake River tributaries each year.

But there is something else that these numbers, studies and data can't quantify:

What many outside the region don't understand is that the four dams on the Lower Snake river are part of our life, heritage, and culture.

I repeat the call I issued last month to the administration and dam removal advocates: abandon your cause and work with the region on cost-effective salmon recovery measures that can restore salmon runs and preserve our Northwest way of life.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I ask unanimous consent for 5 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Mr. President.

## TAX CUTS

Mr. SCHUMER. I wish to continue the line of discussion we were in before about these two alternative tax cut plans. Again, my greatest worry is not in how the pie is divided, although I certainly very much disagree with the Republican way that is done but, rather, in the overall strength of our economy.

To put a huge tax cut in place now, at a time when inflation is low, unemployment is low, and jobs are being created, has the potential of throwing a monkey wrench into our economy. Targeted tax cuts, things aimed at helping middle-class people with their big financial nuts, whether they be health care or college tuition or retirement—those make some sense. But a huge across-the-board tax cut, in my judgment, could throw the economy dramatically off kilter. Will it? No one can predict. But there is an old expression: If it ain't broke, don't fix it.

Our economy has been moving along well, and now, I think mainly because of some ideologues, we are being pushed to do something that risks the great recovery we are now having. That is issue No. 1.

Issue No. 2 is saving Social Security and Medicare. Again, you cannot have the money go for everything. Despite CBO's awful statements in the last few days—and I will talk about those in a minute—when you have a dollar, you can use it for something. You can return it to the taxpayers, you can spend it on a program, or you can put it away for some kind of obligation that might occur later.

The two great obligations we have to the American people, fiscally speaking, are Social Security and Medicare. If you look at this chart, the Republican plan takes that Social Security surplus and makes it a deficit from 2005 on.

How many Americans, for a quick tax cut—most of which they will not

see because it will go, just by definition, to the highest income sector—would risk their Social Security for that tax cut? My argument is: Very few.

How many Americans would risk their Medicare—and, God forbid, they or a loved one became ill—for what have proven to be in the past chimerical tax cuts, things that people do not see? Very few.

So what we are talking about here is very simple—targeted tax cuts that will help the middle class and preserve Social Security, which is the plan the Democrats have put forward, or a huge tax cut, mainly going to people who are doing remarkably well at the highest end of the spectrum and risking Social Security and Medicare.

Mr. DURBIN. Would the Senator from New York yield for a question?

Mr. SCHUMER. I am happy to yield to my friend from Illinois for a question.

Mr. DURBIN. Over the course of the last several months we have had a lot of debate on the floor about a lockbox, a Republican lockbox that is going to protect Social Security and Medicare—lockbox, lockbox, lockbox. I think what we are dealing with when we look at the Republican tax break bill is the Republican ''loxbox''—it smells fishy—because in the year 2005 they start dipping right into Social Security. They are taking money out of the Social Security surplus to give tax breaks to wealthy people.

I ask the Senator from New York—I am sure I can speak for people from Illinois as well—as you go around the State of New York and ask people what our priorities should be, if we are going to have a surplus, how many of them have said to you: Well, let's give tax breaks to Donald Trump and let's take money out of the Social Security surplus?

Mr. SCHUMER. I say to the Senator from Illinois that, first of all, my constituents say: Preserve Social Security and Medicare, No. 1; and, second, if you are going to do certain tax breaks, make them targeted to help the middle class, not these big across-the-board tax cuts.

I also say to the Senator, in certain parts of my State they would want a ''loxbox,'' but in many others they would refuse that.

Mrs. BOXER. Will the Senator yield for a question?

Mr. SCHUMER. I am happy to yield to the Senator from California for a question.

Mrs. BOXER. I thank the Senator.

I say to the Senator from New York, I really appreciate his contribution to this debate. I always go back, in my mind, to who is getting these tax cuts—the Donald Trumps, the Bill Gateses, et cetera. The other chart that was used before by my friend from Illinois showed very clearly that if you earn about $800,000 a year, you get back $22,000 a year; if you earn about $25,000 a year, you get back about $129.

I want to talk about that for a moment and ask my friend a question.

Mr. President, $129 is nice to have. No one would turn it away. But if at the same time you suddenly get a bill for $250 a month more for your Medicare, because the Republican plan doesn't put a penny in for Medicare solvency, now you are behind the eight ball, are you not? That $129 you get back is gone, plus you may even have to take care of your parents because Medicare is not going to survive.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. BOXER. Mr. President, I ask for 1 additional minute in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I say to my friend, could he comment on the cruel irony of this?

Mr. SCHUMER. Mr. President, I think the Senator from California brings up an extremely valid point. The American people are most worried, not about their present tax situation, although everyone would like lower taxes, no question—particularly in my State, property taxes, which we have nothing to do with, are through the roof. What they care about are the big financial nuts that might bother them.

As the Senator from California said, God forbid a parent becomes ill, God forbid a spouse becomes ill, and Medicare is not there or it is so reduced that they have to shell out tremendous amounts of dollars from their own pocket before Medicare bites in. That is what worries people. That is why, I say to the Senator, I am pushing a tuition deductibility proposal because the average middle-class family is doing fine, but when they get hit with these huge tuition bills, it is tough for them to pay.

One other point, which relates to what the Senator said, going back to what CBO has done in raiding these two plans. I want to come back to this because it is so worrisome. What they have done is, they have said a plan that cuts taxes by $700 billion reduces the deficit more than a plan that cuts taxes by $300 billion—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCHUMER. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I thank the Chair, and I thank the Senator.

CBO has said putting $300 billion aside for deficit reduction reduces the deficit less than putting nothing aside for deficit reduction.

I have, in my 18 years in the House and now my 1 year in the Senate, always relied on CBO as a lodestone, as a morning star—fixed, correct, dealing with the excesses politicians have on both sides of the aisle. That has seemed to be true whether they were appointed by Democrats or Republicans. For the first time, I think we are going to start doubting the veracity of CBO in a significant way because they have so twisted their economic logic that economists across America are scratching their heads.

We need a CBO to be fair and nonpartisan. CBO is vitally important to us being honest in reducing the deficit; when either party does fiscal hi-jinks, they are called to the carpet.

Again, I make a plea to the CBO Director: Reconsider what you have said or, at the very least, give it a better explanation because right now people who follow economics across America are scratching their heads and saying: What has happened? How the heck can CBO score things the way they have? The only answer that seems to be available is politics. That would be a shame.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I ask unanimous consent to proceed for 20 minutes as in morning business or until the managers of the legislation come forward and decide they want to begin the next piece of legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, before I get to the subject I wish to speak to, which is the nuclear test ban treaty, I will address a comment to my colleague from New York, Senator SCHUMER.

I, as all Democrats and some Republicans, think a tax cut should be progressive and equitable. To tell you the truth, I would like to be in a position to give the wealthy a tax cut if that were the case. That would be fine as long as we first gave the tax cut to the poor and the middle class.

I was speaking to the Senator from Illinois a moment ago. In my State, which has, as all of our States, very wealthy individuals, I found an interesting phenomenon. Given a choice, if you go back to my State and ask anybody who made $1 million last year or is likely to make one next year, and said: We can continue the economy to grow the way it has the last 7 years, or give you a $30,000 tax cut a year, there isn't any question what they choose. They say: Whoa, leave well enough alone. I am making a lot more than $30,000 a year in the market. I am making a lot more than $30,000 a year in my investments. I am making a lot more than the $30,000 a year I would get in the tax cut from the lower interest rates. I am making a lot more.

How many times have we heard the only thing that has remained constant in this changing economic environment over the last decade is tax cuts are a stimulus? We have one guy sitting at the helm. His name is Greenspan. He has been doing everything but taking an ad in the New York Times to say: Whatever you all do, if this economy heats up, if you stimulate this economy, I am telling you what I am

going to do; I am going to raise interest rates.

He hasn't used those exact words, but the market responds to every word he says.

I don't know anybody who thinks that if there were almost an $800 billion tax cut, we are not going to have interest rates raised.

I don't understand the math. To be more crude about it, I don't even understand the politics. It used to be good politics for our Republican friends to try to paint us into a corner and say: We are for tax cuts; Democrats are not for tax cuts ever. Therefore, Democrats are big spenders; therefore, we are good guys. Therefore, vote for us.

I understand that. We do the same thing with them on Social Security. We assume no Republican can be devoted to Social Security, and they assume no Democrat could ever want a tax cut. That is politics. I understand that.

The part I don't understand is to whom they are talking. Even their very wealthy constituency—not all wealthy people are Republicans, but it tends to be that way—is saying: Hey, go slow here.

I hear the name of Bill Gates thrown around and others such as Gates. They are an aberration even among the wealthy. But the wealthy in my State, if they could pick any one thing out of the Roth tax proposal, I know what it would be. It would be the elimination of the inheritance tax. There are only about 820,000 people in all of America who would be affected by it, but that is something—I happen to disagree with them—that is a big deal. That is a big-ticket item. That is worth a lot more than 30,000 bucks, but that is not the thing that would fuel a heated up economy. I am not proposing that. I am trying to figure out the politics.

Mr. SCHUMER. Will the Senator yield?

Mr. BIDEN. I am delighted to yield.

Mr. SCHUMER. I think the Senator makes a very good point. Our No. 1 argument is the one the Senator made. It is not middle class versus wealthy. It is not redistribution. That is an argument.

The No. 1 argument is a very simple one: The economy is doing remarkably well. The people at the highest end of the economic spectrum have benefited the most. That is how it usually is in America. And here we are, everything is going along nicely, interest rates are low, fueling economic growth, allowing people to buy homes, allowing people to take second mortgages so they can buy other things. We are going to change conditions so that Alan Greenspan would be more likely to have to raise interest rates. And he, a Republican conservative, fiscal watchdog, says: Don't do it. And we are proceeding headlong into a wall to do it.

The Senator from Delaware has asked an excellent question: What is motivating this? I think it is leftover politics from the early 1980s.

Mr. BIDEN. I think that is right.

Mr. SCHUMER. There is a view, first, that Democrats haven't learned our lesson, which we have since 1994, which is we can't spend on everything we want to, even though we would want to. What we have proposed doing with this money is not spending most of it on new programs but putting the vast proportion away into Social Security and Medicare and reducing the deficit.

Second, it is based on the theory that the tax system is out of whack. When you look at it, the percentage of tax paid is going down; the economy is moving. It is almost ''Alice in Wonderland.'' So I think the Senator from Delaware makes an excellent point. Whether you believe in the politics of redistribution or not—and there is a division in this country, in this body, and in our party, as a matter of fact—even if you don't, this tax cut, so massive, so much risking the monkey wrench being thrown in the economic engine that is purring smoothly, is a real risk.

Mr. BIDEN. If the Senator will yield, I would like to make an observation or a comment. I heard some of our Republican friends use the old phrase ''if it's not broken, don't fix it.'' They can't stand status quo. I think they can't stand the fact that it is happening on Democrats' watch. I think part of the problem is they have to say something. It is similar to cops, the very thing they said would not work. It was terrible what Charlton Heston—or ''Moses'' Heston—said. They are going to have 100,000 social workers.

Regarding the deficit reduction package in 1994, every Republican leader stood up and said this will mean chaos, recession, loss of world stature, et cetera, et cetera. They turned out to be wrong; these things are working. Cops are making the crime rate go down. The deficit reduction package worked. We are now in a position where we are doing better than ever. It is as if they have to have something. We politicians, I know, sit there and say if the other party does something, or my opponent does something, and it works, instead of saying it is working, we have to think of something better.

I think the public is prepared to give everybody credit. Everybody deserves credit. The people who deserve the most credit are the people in the business community because of their productivity and the way they trimmed down. I can't figure it out. For the first time in my 27 years as a Senator, this seems to fly in the face of the orthodoxy of the Republican Party. I mean, if you had said to me 15 years ago—first of all, I would not have believed what I am about to say. But if you said to me 15 years ago: JOE, in 1999, you are going to be standing on the floor of the Senate, and one of the choices you are going to participate in making is not whether or not we balance the budget but whether we take money and reduce the accumulated national debt or give a tax cut, first of all, I would not have believed that option would be available. I would not have believed we would be in that position. Forget, for a moment, the two pillars: Social Security and Medicare. Leave them aside for a moment. I would have said: First of all, it won't happen. But if it does, on the idea of reducing the national debt, in every basic economics course you took when you were a freshman in college, they said if you can ever reduce the national debt, the impact upon interest rates, the impact upon home rates, the impact upon the economy would be incredible.

And then, if you asked me: OK, what do you think the Republican Party would do? I would say that is easy. They would reduce the debt. These are the pay-as-you-go guys, the guys who say pay off your debts. These are the guys who had a clock ticking in your city, in Time Square, or down by the railroad station, Penn Station, a big clock, saying the national debt is going up. It was paid for, I suspect, by some wealthy Republican. So the clock was ticking. And not only have we stopped the growth of the debt, but it is ticking in a way that we can have those numbers go in reverse.

Mr. DURBIN. Will the Senator yield?

Mr. BIDEN. Yes.

Mr. DURBIN. As a member of the Judiciary Committee, I am sure the Senator from Delaware remembers 2 years ago on the floor of the Senate our despondency over the deficits, which led some Members on the Republican side to call for a constitutional amendment to balance the budget, where the Federal courts would force Congress to stop spending. We were so despondent that we were going to really change the constitutional framework. That failed by one vote.

Two years later—the Senator from Delaware is right—somehow or another, the Republican Party is searching for its roots and searching for its identity. It has now gone beyond the era of Gingrich and Dole, and it is trying to find out what it stands for anymore. As the Senator from Delaware said, they used to stand for fiscal conservatism. We have a trillion-dollar tax cut, primarily for the wealthiest people, that will divert funds that could be spent to retire the national debt, a debt of over $5 trillion, which costs us a billion dollars a day in interest. We collect taxes from American families—payroll taxes—for a billion dollars a day in interest.

Would the Republicans join the Democrats and say our first priority is to eliminate this debt? No. Instead, they are saying our first priority is tax breaks for the higher income individuals, which could endanger the economy.

I think this Republican Party is searching for identity. I think the Democrats have a situation that I would like to test in an election. If this were a referendum, as in parliamentary forms of government, I would like to take this question to the American people: Do you want a trillion-dollar

tax break for the wealthiest people over the Democratic approach to take whatever surplus we have and put it into Social Security, put it into Medicare, and bring down the national debt?

I think ours is a sounder approach. I ask the Senator from Delaware, in his experience in history and in American politics, has he ever seen the world turn so upside down that we Democrats are now the fiscal conservatives?

Mr. BIDEN. No. I must say to my friend from Illinois that I haven't. I really think a legitimate debate—a debate that is a close call, in my view, would be whether or not, for example, we should be spending the surplus to reduce the debt, or spend the surplus—we can do both—or spend more of the surplus to reinforce Social Security and Medicare. That is a traditional debate that we have. Republicans used to argue we are spending too much money on Medicare—not just that it is broken, but we are spending too much; and Social Security is inflated and we should be cutting it back.

If you told me 15 years ago that the debate would be Democrats saying let's not put as much away to reduce the debt, put more in Social Security and Medicare, and with what is left reduce the debt, and the Republicans would have been saying let's reduce the debt, and once that is done, let's try to fix Medicare and Social Security—well, I don't know. The third rail of politics has become Social Security and Medicare. Obviously, they have to be for that; everybody is for that. So nobody really talks about it.

Some courageous guys and women talk about it on the floor, about what we should be doing. But it is just a shame because there is a legitimate debate here. The truth is, for example, if you said to me reduce the debt or spend more money on cops, I would be for spending more money on cops. So it is true that there are some of us in this party who would want to spend more of the surplus for worthwhile things, such as education, law enforcement, et cetera. And it is a legitimate debate. They would say: Look, BIDEN wants to spend more money instead of putting it onto the debt. But that is not even a debate. That is not even a debate.

The debate now is to give a tax cut that no one seems to want. I would love a tax cut. My total salary is what I make here, and the American people pay me a lot of money. I would love a tax cut. I would love even more—since I have a third child going off to college for the first year, and room, board, and tuition in any private school in this country is about $30,000 a year, I selfishly would love a tax break there. But what I would not love is my adjustable rate mortgage to change. I would not want that to change. Give me a tax cut and one little bump in my adjustable rate mortgage, and I am up more than I can save by the tax cut. So I don't know.

Both of our parties are going through a little bit of establishing, going into the 21st century, what the pillars and cornerstones of our philosophies are. Ironically, I think for the change we are sort of a little ahead of the Republicans on where we are. It doesn't mean the American people agree with us. The debate over there seems to be that the jury is still out on where they will go. I hope, for everyone's sake, we get our bearings a little bit because it would truly be a shame if, as a consequence of a political judgment, we imperil what is the most remarkable recovery in the history of the world, essentially.

The economy in America has never been stronger within our borders or comparatively internationally. I hope reason takes hold because even I think Republicans and Democrats know more about what the polling data says than I do. But my instinct tells me this is yesterday's fight. This is yesterday's fight, but it could be tomorrow's tragedy if it prevails.

## RATIFYING THE COMPREHENSIVE TEST BAN TREATY

Mr. BIDEN. Mr. President, speaking of polls, which are what I stood up to speak about this morning, I would like to turn to the Comprehensive Nuclear Test Ban Treaty, the comprehensive test ban treaty that was signed nearly three years ago and submitted to the Senate nearly two years ago. The American people overwhelmingly support this treaty, yet it has not even seen the light of day here in the Senate.

The Senate, as we all know, is uniquely mandated under the United States Constitution to give its ''advice and consent'' to the ratification of treaties that the United States enters into. In a dereliction of that duty, the Senate is not dealing with the Comprehensive Nuclear Test-Ban Treaty.

Why is this occurring? In the view of my colleagues—including some Democrats who support the treaty—this treaty is not high on the agenda of the American people. There is very little political attraction in the issue. It is easy to keep this treaty from being brought up and discussed, because people who care about nuclear testing tend to assume that we already have a nuclear test-ban treaty in force.

President Bush did the right thing in accepting a moratorium on any nuclear tests, but that is not a permanent test-ban. It does not bind anybody other than ourselves. It merely implements our own conclusion that we don't have to test nuclear weapons anymore in order to maintain our nuclear arsenal.

Faced with this perception on the part of many of our colleagues, several of us encouraged supporters of the Test-Ban Treaty to go out and actually poll the American people. Frankly, we wanted real evidence to show to our colleagues—mostly our Republican colleagues—that the American public actually cares a lot about this issue.

I am not going to keep my colleagues in suspense. A comprehensive poll was done. The bottom line is that the American people support this treaty by a margin of 82 percent to 14 percent. That is nearly 6 to 1.

For nearly 2 years, we Democrats—and a few courageous Republicans like Senator SPECTER and Senator JEFFORDS—have tried to convince the Republican leadership that this body should move to debate and decide on this treaty. Let the Senate vote for ratification or vote against ratification. The latest poll results are a welcome reminder that the American people are with us on this important issue or, I might add, are way ahead of us.

I know some of my colleagues have principled objections to this treaty. I respect their convictions even though I strongly believe they are wrong on this issue. What I cannot respect, however—and what my colleagues should not tolerate—is the refusal of the Republican leadership of this body to permit the Senate to perform its constitutional responsibility to debate and vote on ratification of this vital treaty. It is simply irresponsible, in my view, for the Republican leadership to hold this treaty hostage to other issues as if we were fighting over whether or not we were going to appoint someone Assistant Secretary of State in return for getting someone to become the deputy something-or-other in another Department. This treaty isn't petty politics; this issue affects the whole world.

Some of my colleagues believe nuclear weapons tests are essential to preserve our nuclear deterrent. Both I and the directors of our three nuclear weapons laboratories disagree. The $45 billion—yes, I said billion dollars—Stockpile Stewardship Program—that is the name of the program—enables us to maintain the safety and reliability of our nuclear weapons without weapons tests.

The fact is, the United States is in the best position of all the nuclear-weapons states to do without testing. We have already conducted over 1,000 nuclear tests. The Stockpile Stewardship Program harnesses the data from these 1,000 tests along with new high-energy physics experiments and the world's most advanced supercomputers to improve our understanding of how a nuclear explosion—and each part in a weapon—works.

In addition, each year our laboratories take apart and examine some nuclear weapons to see how well those parts work. The old data and new experiments enable our scientists to diagnose and fix problems on our existing nuclear weapons systems without full-scale weapons testing. This is already being done. By this means, our nuclear weapons laboratories are already maintaining the reliability of our nuclear stockpile without testing.

Still, if nuclear weapons tests should be required in the future to maintain the U.S. nuclear deterrent, then we

will test. The administration has proposed, in fact, that we enact such safeguards as yearly review and certification of the nuclear deterrent and maintenance of the Nevada Test Site.

The administration has also made clear that if, in the future, the national interest requires what the treaty binds us not to do, then the President of the United States will remain able to say: ''No. We are out of this treaty. It is no longer in our national interest. We are giving advanced notice. We are going to withdraw.''

Thanks in part to those safeguards I mentioned earlier, officials with the practical responsibility of defending our national security support ratification of the test ban treaty. In addition to the nuclear lab directors, the Chairman of the Joint Chiefs of Staff has spoken in favor of ratification.

Support for ratification is not limited, moreover, to the current Chairman of the Joint Chiefs of Staff. The four previous Chairmen of the Joint Chiefs—also four-star generals—support ratification as well. Think of that. This treaty is supported by Gen. John Shalikashvili, Gen. Colin Powell, Adm. William Crowe, and Gen. David Jones, all former Chairmen of the Joint Chiefs. Those gentleman have guided our military since the Reagan administration.

Why would those with practical national security responsibilities support such a treaty? The answer is simple: For practical reasons.

Since 1992, pursuant to U.S. law, the United States has not engaged in a nuclear weapons test. As I have explained, we have been able, through ''stockpile stewardship,'' to maintain our nuclear deterrent using improved science, state-of-the-art computations, and our library of past nuclear test results. Other countries were free to test until they signed the Comprehensive Test Ban Treaty. Now they are bound, as we are, not to test. But that obligation will wither on the vine if we fail to ratify this test ban treaty.

One traditional issue on arms control treaties is verification. We always ask whether someone can sign this treaty and then cheat and do these tests without us knowing about it. The Comprehensive Test Ban Treaty will improve U.S. monitoring capabilities, with the rest of the world picking up three-quarters of the cost. The treaty even provides for on-site inspection of suspected test sites, which we have never been able to obtain in the past.

Some of my colleagues believe that our imperfect verification capabilities make ratification of the test ban treaty unwise. New or prospective nuclear weapons states can gain little, however, from any low-yield test we might be unable to detect. Even Russia could not use such tests to produce new classes of nuclear weapons.

To put it another way, even with the enhanced regimen of monitoring and on-site inspection, it is possible that there could be a low-level nuclear test that would go undetected. But what all of the scientists and nuclear experts tell us is that even if that occurred, it would have to be at such a low level that it would not enable our principal nuclear adversaries and powers to do anything new in terms of their systems and it would not provide any new weapon state the ability to put together a sophisticated nuclear arsenal.

For example, the case of China is particularly important. We have heard time and again on the floor of this Senate about the loss, beginning during the Reagan and Bush years, of nuclear secrets and the inability, or the unwillingness, or the laxity of the Clinton administration to quickly close down what appeared to be a leak of sensitive information to the Chinese. We lost it under Reagan and Bush, and the hole wasn't closed under the present administration, so the argument goes.

We hear these doomsday scenarios of what that now means—that China has all of this technology available to do these new, terrible things. But guess what? If China can't test this new technology that they allegedly stole, then it is of much less value to them. They have signed the Test-Ban Treaty, and they are prepared to ratify it and renounce nuclear testing forever if we ratify that very same test-ban treaty.

Here we have the preposterous notion—for all those, like Chicken Little, who are crying that the sky is falling—that the sky is falling and China is about to dominate us, but, by the way, we are not going to ratify the Test-Ban Treaty. What a foolish thing.

The Cox committee—named for the conservative Republican Congressman from California who headed up the commission that investigated the espionage that allegedly took place regarding China stealing nuclear secrets from us—the Cox committee warned that China may have stolen nuclear codes. Congressman COX explained, however, that a China bound by the Test-Ban Treaty is much less likely to be able to translate its espionage successes into usable weapons.

As I noted, however, the Test-Ban Treaty will wither on the vine if we don't ratify it. Then China would be free to resume testing. If we fail to take the opportunity to bind China on this Test-Ban Treaty, that mistake will haunt us for generations and my granddaughters will pay a price for it.

The need for speedy ratification of the Comprehensive Test Ban Treaty is greater than ever before. In India and Pakistan, the world has watched with mounting concern over the past 2 months as those two self-proclaimed nuclear-weapons states engaged in a conventional conflict that threatened to spiral out of control.

Were nuclear weapons to be used in this densely populated area of the world, the result would be a horror unmatched in the annals of war. This breaches the postwar firebreak against nuclear war—which has stood for over 50 years—with incalculable consequences for the United States and the rest of the world.

The India-Pakistan conflict may be back under control for now. President Clinton took an active interest in it, and that seems to have been important to the process in cooling it down. The threat of nuclear holocaust remains real, however, and it remains particularly real in that region of the world. We can help prevent such a calamity. India and Pakistan have promised not to forestall the Test-Ban Treaty's entry into force. They could even sign the treaty by this fall. The Test-Ban Treaty could freeze their nuclear weapons capabilities and make it harder for them to field nuclear warheads on their ballistic missiles.

This will not happen unless we, the United States, accept the same legally binding obligation to refrain from nuclear weapons tests. Thus, we in the Senate have the power to influence India and Pakistan for good or for ill. God help us if we should make the wrong choice and lose the opportunity to bring India and Pakistan back from the brink.

This body's action or lack of action may also have a critical impact upon worldwide nuclear nonproliferation. Next spring, the signatories of the Nuclear Non-Proliferation Treaty will hold a review conference. (The Nuclear Non-Proliferation Treaty is a different treaty; the treaty that we still must ratify bans nuclear weapons testing, while the Nuclear Non-Proliferation Treaty, which was ratified decades ago, bans the development of nuclear weapons by countries that do not already have them.) If the United States has not ratified the Test-Ban Treaty by the time of the review conference, non-nuclear-weapons states will note that we promised a test-ban treaty 5 years ago in return for the indefinite extension of the Non-Proliferation Treaty. What we will do if we don't ratify is risk undermining the nonproliferation resolve of the nonnuclear weapon states.

Ask any Member in this Chamber—Democrat or Republican; conservative, liberal, or moderate—get them alone and ask them what is their single greatest fear for their children and their grandchildren. I defy any Member to find more than a handful who answer anything other than the proliferation of nuclear weapons in the hands of rogue states and terrorists. Everybody agrees with that.

We have a nonproliferation treaty out there, and we have got countries who don't have nuclear weapons to sign, refraining from ever becoming a nuclear weapons state. But in return, we said we will refrain from testing nuclear weapons and increasing our nuclear arsenals.

Now what are we going to do? If we don't sign that treaty, what do you think will happen when the Nuclear Non-Proliferation Treaty signatories get together in the fall and say: ''OK, do we want to keep this commitment

or not?'' If the United States says it is not going to promise not to test anymore, then China will say it will not promise not to test either. India and Pakistan will say they are not going to promise to refrain from testing. What do you think will happen in every country, from rogue countries such as Syria, all the way to countries in Africa and Latin America that have the capability to develop nuclear weapons? Do you think they will say: ''It is a good idea that we don't attempt ever to gain a nuclear capability, the other big countries are going to do it, but not us?'' I think this is crazy.

Let me be clear. The Comprehensive Nuclear Test-Ban Treaty must not be treated as a political football. It is a matter of urgent necessity to our national security. If the Senate should fail to exercise its constitutional responsibility, the very future of nuclear nonproliferation could be at stake.

Two months ago I spoke on the Senate floor about the need for bipartisanship, the need to reach out across the chasm, reach across that aisle. Today I reach out to the Republican leadership that denies the Senate—and the American people—a vote on the Comprehensive Test Ban Treaty.

I was joined on Sunday by the Washington Post, which spoke out in an editorial against what it termed ''hijacking the test ban.'' I will not repeat the editorial comments regarding my friend from North Carolina who chairs the committee. I do call to the attention of my colleagues, however, one salient question from that editorial:

> One wonders why his colleagues, of whatever party or test ban persuasion, let him go on.

I have great respect for my friend from North Carolina. He has a deep-seated philosophical disagreement with the Test-Ban Treaty, and I respect that. I respect the majority leader, Mr. LOTT, who has an equally compelling rationale to be against the Test-Ban Treaty. I do not respect their unwillingness to let the whole Senate debate and vote on this in the cold light of day before the American people and all the world.

A poll that was conducted last month will not surprise anybody who follows this issue. But it should serve as a reminder to my colleagues that the American people are not indifferent to what we do here.

The results go beyond party lines. Fully 80 percent of Republicans—and even 79 percent of conservative Republicans—say that they support the Test-Ban Treaty.

And this is considered opinion. In May of last year, the people said that they knew some countries might try to cheat on the test-ban. But they still supported U.S. ratification, by a 73–16 margin. As already announced, today's poll results show even greater support than we had a year ago.

Last year's polls also show a clear view on the public's part of how to deal with the nuclear tests by India and Pakistan. When asked how to respond to those tests, over 80 percent favored getting India and Pakistan into the Test-Ban Treaty and over 70 percent saw U.S. ratification as a useful response.

By contrast, fewer than 40 percent wanted more spending on U.S. missile defense; and fewer than 25 percent wanted us to resume nuclear testing.

The American people understood something that had escaped the attention of the Republican leadership: that the best response to India and Pakistan's nuclear tests is to rope them in to a test-ban, which requires doing the same for ourselves.

The American people reach similar conclusions today regarding China's possible stealing of U.S. nuclear weapons secrets. When asked about its implications for the Test-Ban Treaty, 17 percent see this as rendering the Treaty irrelevant; but nearly three times as many—48 percent—see it as confirming the importance of the Treaty. Once again, the American people are ahead of the Republican leadership.

The American people see the Test-Ban Treaty as a sensible response to world-wide nuclear threats. In a choice between the Treaty and a return to U.S. nuclear testing, 84 percent chose the Treaty. Only 11 percent would go back to U.S. testing.

Last month's bipartisan poll—conducted jointly by the Melman Group and Wirthlin Worldwide—asked a thousand people ''which Senate candidate would you vote for: one who favored CTBT ratification, or one who opposed it?'' So as to be completely fair, they even told their respondents the arguments that are advanced against ratification.

By a 2-to-1 margin, the American people said they would vote for the candidate who favors ratifying the Treaty. Even Republicans would vote for that candidate, by a 52–42 margin.

Now, as a Democrat, I like those numbers. The fact remains, however, that both the national interest and the reputation of the United States Senate are on the line in this matter.

The national security implications of the Comprehensive Test-Ban Treaty must be addressed in a responsible manner. There must be debate. There must be a vote.

In sum, the Senate must do its duty—and do it soon—so that America can remain the world's leader on nuclear non-proliferation; so that we can help bring India and Pakistan away from the brink of nuclear disaster; and so that the United States Senate can perform its Constitutional duty in the manner that the Founders intended.

Let me close with some words from a most esteemed former colleague, Senator Mark Hatfield of Oregon, from a statement dated July 20. I ask unanimous consent that his statement be printed in the RECORD after my own statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. BIDEN. He began:

> The time has come for Senate action on the CTBT ratification.

Senator Hatfield adduces some excellent arguments in favor of ratification, which I commend to my colleagues. But I especially want recommend his conclusion, which summarizes our situation with elegant precision:

> It is clear to me that ratifying this Treaty would be in the national interest. And it is equally clear that Senators have a responsibility to the world, the nation and their constituents to put partisan politics aside and allow the Senate to consider this Treaty.

Senators, that says it all.

EXHIBIT 1

STATEMENT BY SENATOR MARK O. HATFIELD ON CTBT RATIFICATION

The time has come for Senate action on CTBT ratification. Political leaders the world over have recognized that the proliferation of nuclear weapons poses the gravest threat to global peace and stability, a threat that is likely to continue well into the next century. Ratification of the 1996 Comprehensive Nuclear Test Ban Treaty by the United States and its early entry into force would significantly reduce the chances of new states developing advanced nuclear weapons and would strengthen the global nuclear non-proliferation regime for the twenty-first century. Just as the United States led the international community nearly three years ago by being the first to sign the CTB Treaty, which has now been signed by 152 nations, the Senate now has a similar opportunity and responsibility to demonstrate U.S. leadership by ratifying it.

The Treaty enhances U.S. national security and is popular among the American people. Recent bipartisan polling data indicates that support for the Treaty within the United States is strong, consistent, and across the board. It is currently viewed favorably by 82% of the public, nearly the highest level of support in four decades of polling. Only six percentage points separate Democratic and Republican voters, and there is no discernible gender gap on this issue. This confirms the traditional bipartisan nature of support for the CTBT, which dates back four decades to President's Eisenhower's initiation of test ban negotiations and was reaffirmed by passage in 1992 of the Exon-Hatifield-Mitchell legislation on a testing moratorium.

It is clear to me that ratifying this Treaty would be in the national interest. And it is equally clear that Senators have a responsibility to the world, the nation and their constituents to put partisan politics aside and allow the Senate to consider this Treaty.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. I thank the Chair.

## TAX RELIEF

Mr. THOMAS. Mr. President, I want to visit a little bit a topic that will be coming before the Senate very soon, probably tomorrow, and that is tax relief and the reconciliation bill we will be considering.

To me that is one of the most important things before us, not only as the Senate but before us as American people. We ought to spend our time focusing on that issue.

I have been a little amazed at the comments that have been made this morning. I only heard part of them, but they said this tax relief will certainly damage the economy. I have never heard of anything like that in my entire life. More money in the hands of Americans will probably strengthen the economy. We heard about Alan Greenspan's comments. The fact is, his complete comments were that he would much rather see tax relief than expending those dollars in larger government, which basically is the alternative.

We ought to review again for ourselves and for listeners where we are with respect to the surplus, where we are with respect to the public debt, and with the President's proposal versus tax relief.

We all know we worked a very long time to have a balanced budget. For the first time in 25 years, we have a balanced budget, and we want to be sure the majority of the surplus is Social Security money. This is the first time we have done this in a very long time. It is largely the result, of course, of a strong economy and some efforts on the part of this Congress to have a balanced budget amendment, to have some spending caps to hold down spending.

What can we expect? According to the Congressional Budget Office which released their midsession review on July 21, the estimates are that the total budget surplus will measure $1.1 trillion to the year 2004, and to the year 2009 nearly $3 trillion in surplus will be coming in. The non-Social Security portion of that surplus will measure almost $300 billion to the year 2004 and nearly $1 trillion to the year 2009. This is the non-Social Security surplus that comes in to our budget.

The congressional budget resolution which talks about tax relief will leave the publicly held debt level at $1.6 trillion. The President's, on the other hand, will leave it at $1.8 trillion. With some tax relief, the reduction in publicly held debt under the tax relief program, the reconciliation program we will be talking about the next several days, will reduce the debt more than the President's plan which plans to spend the money.

These are the facts. It is interesting; the budget chairman was on the floor yesterday indicating that out of the total amount of money that will be in the surplus, less than 25 percent will be used for tax relief and it will still be $1 trillion.

These are the facts, and it seems to me we ought to give them some consideration.

Another fact that I believe is important in this time of prosperity, in this time of having a balanced budget and having a surplus, is the American people are paying the highest percentage of gross national product in taxes ever, higher than they did in World War II. Certainly, there is a case to be made for some sort of tax relief. If there are surplus dollars, these dollars ought to go back to the people who paid them. They ought to go back to the American people to spend as they choose.

There will be great debates about this, and there have been great debates about this. There are threats by the White House to veto any substaintial tax reductions. Sometimes one begins to wonder, as we address these issues, whether or not it should be what we think is right or whether we have to adjust it to avoid a veto. That is a tough decision. Sometimes we ought to say: All right, if we believe in something, we ought to do what we think is right. If the President chooses to veto it, let him veto it. Otherwise, we compromise less than we think we should. Those are the choices that have to be made.

We will enter into this discussion again, as we have in the past, with different philosophies among the Members of this body. Of course, it is perfectly legitimate. The basic philosophy of our friends on the other side is more government and more spending. The basic philosophy of Republicans has been to hold down the size of government and have less government spending.

There is more to tax reduction than simply tax relief. It has to do with controlling the size of the Federal Government. If we have surplus money in the budget, you can bet your bottom dollar we are going to have more government and more spending, and to me there is a relationship.

Of course, we need to utilize those funds to fulfill what are the legitimate functions of the Federal Government. It is also true that there is a different view of what are the legitimate functions of the Federal Government. I personally believe the Federal Government ought to be as lean as we can keep it. Constitutionally, it says the Federal Government does certain things and all the rest of the things not outlined in the Constitution are left to the States and to the people. I think that is right. I believe the State, the government closest to the people, is the one that can, in fact, provide the kinds of services that are most needed and that fit the needs of the people who live there.

I come from a small State. I come from a State of low population. The delivery of almost all the services—whether it be health care, whether it be education, whether it be highways—is different in Wyoming than it is in New York and, indeed, it should be. Therefore, the one-size-fits-all things we tend to do at the Federal Government are not applicable, are not appropriate, and we ought to move as many of those decisions as we can to the States so they can be made closest to the people.

We will see that difference of philosophy. There are legitimate arguments. That is exactly why we are here, to talk about which approach best fits the needs of the American people: whether we want more Federal Government, whether we want more spending, whether we want to enable more growth in the Federal Government, having the Government involved in more regulatory functions or, indeed, whether we want to limit the Government to what we believe are the essential elements with which the Federal Government ought to concern itself, or whether we ought to move to encourage and strengthen the States to do that.

We have on this side of the aisle, of course, our goals, our agenda. They include preserving Social Security. I am one of the sponsors of our Social Security bill which we believe will provide, over time, the same kinds of benefits for young people who are just beginning to pay and will maintain the benefits for those who are now drawing them. We can do that.

We have tried now I think five times to bring to this floor a lockbox amendment to make sure Social Security money is kept aside and is used for that purpose. We hope it will end up with individual accounts where people will have some of their Social Security money put into their own account where they can choose to have it in equities, or they can choose to have it in bonds, or they can choose to have it in a combination of the two. Increased earnings will accrue to their benefit, and, indeed, they will own it. If they are unfortunate enough to pass away before they use it, it becomes part of their estate.

Those are the things that are priorities for us. We want to do something with education. We sought to do that this year, to provide Federal funding of education to the States in the forms of grants so those decisions can be made to fit Cody, WY, as well as they do Long Island, NY, but quite differently.

We have done some military strengthening. We have done that this year. We want to continue to do that. We have not been able to increase the capacity of the military for a number of years. We need to do that. This is not a peaceful world, as my friends talked about.

Those are the choices. We will hear: If you are going to have tax relief, you cannot do these things. That is not true. We will have a considerable amount left over after we do a Social Security set-aside, after we do tax relief, and there will be adequate dollars to do Medicare reform and to do military reform. That is the plan, that is the program, and that is, I believe, what we should be orienting ourselves toward.

I hope that over the next several days we will have the opportunity to fully debate this. I think there will be great differences in how you do tax relief. There are a million ways to do it. Frankly, I hope we not only have tax relief but also that we help simplify

the tax system rather than make it even more complicated than it is. Therefore, I think those will be the issues we should really address.

Mr. President, I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to be recognized in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Would it be possible for me to make a unanimous consent request?

## EXTENSION OF MORNING BUSINESS

Mr. THOMAS. I ask unanimous consent that the Senate continue in a period of morning business for 90 minutes, equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Illinois.

## TAX CUTS

Mr. DURBIN. Mr. President, this morning we devoted most of the morning business to a discussion of an item which will come before us soon, and that is the whole question of how our economy is to look for the next few years. There are two very different visions of that future which will be articulated on the floor—one on the Republican side and another on the Democratic side.

The Senator from Wyoming was kind enough to speak and to tell us earlier about his concerns over taxes. Certainly, his concern is shared by many on both sides of the aisle. He made a point which I think is worth noting and explaining. Yes, it is true that Federal tax receipts are higher than they have ever been from individuals and families, but it is also true the tax rates on individuals and families, in every income category, are at some of the lowest levels they have been in modern memory.

The reason why taxes and tax receipts are higher reflects the fact that the economy is strong, people are working, they are earning money in their workplace, as well as in their investments, and they are paying some tax on it.

If you look at the dynamic growth in taxation on American families, you will find it is not from Washington but, rather, from State capitals and local sources, local units of government. That, to me, is an important point to make as we get into a question of whether we should cut Federal taxes.

I, for one, believe we can cut Federal taxes and do it particularly for the lower and middle-income families and really enhance our economy—if they are targeted; if they are contained. Because people who get up and go to work every day, and sweat out the payroll tax, which is usually higher than their Federal income tax liability, are the folks who need a helping hand.

Sadly, the Republican proposal before us, which will be about a $1 trillion tax cut over the next 10 years, does not focus on the lower and middle-income families. It reverts to the favorite group of the Republican Party time and again in tax policy—those at the higher income levels. So we see dramatic tax cuts for the wealthiest American families and ''chump change,'' if you will, for working families.

That in and of itself is an injustice. The Republican Senator who spoke before me made the statement that he could not see why giving more money back to people to spend could possibly hurt the economy. In fact, it is a source of concern.

You notice that about once a month, or once every other month, we wait expectantly for news from the Federal Reserve Board as to whether they are going to raise interest rates. It is an important issue and topic for many Americans. If you have a mortgage with an adjustable rate on it, the decision by Chairman Greenspan of the Federal Reserve to raise interest rates will hit you right in the pocketbook. Your mortgage rate will go up. The payment on your home will go up.

Most people think this is a decision to be made looking at the overall economy. I suggest most American families look at interest rate decisions based on their own family. What will it do to my mortgage rate? What will it do, if I am a small businessperson, to the cost of capital for me to continue doing business? These are real-life decisions.

If the Republicans have their way this week and pass a tax break, primarily for wealthy people, injecting money into the economy, it will increase economic activity. It is expected, then, that some people will buy more. It may mean Donald Trump will buy another yacht or Bill Gates will buy something else.

That money spent in the economy creates the kind of economic movement which the Federal Reserve watches carefully. If that movement seems to be going too quickly, they step in and slow it down. How do they slow it down? They raise interest rates.

So the Republican plan, the tax break for wealthy people, the $1 trillion approach, is one which runs the risk of heating up an economy, which is already running at a very high rate of speed, to the point where the Federal Reserve has to step in. And once stepping in and raising interest rates, the losers turn out to be the same working families who really do deserve a break.

It has been suggested that if we, instead, take our surplus and pay down the national debt, it not only is a good thing intuitively that we would be retiring this debt, but it has very positive consequences for this economy.

Consider for a moment that in the entire history of the United States, from President George Washington through President Jimmy Carter, we had accumulated $1 trillion in debt. That means every Congress, every President, each year, who overspent, spent more Federal money than they brought in in taxes, accumulated a debt which over the course of 200 years of history, came to $1 trillion, a huge sum of money, no doubt.

But after the Carter administration, as we went into the Reagan years, the Bush years, and the early Clinton years, that debt just skyrocketed. It is now over $5 trillion. That is America's mortgage. We have to pay interest on our mortgage as every American family pays interest on their home mortgage. What does it cost us? It costs us $1 billion a day in interest to borrow the money, to pay off our national debt—$1 billion a day collected from workers through payroll taxes, from businesses and others just to service the debt.

So the question before us is whether or not a high priority should be reducing that debt. Frankly, I think it should be one of the highest priorities. You know who ends up paying that interest forever? The young children in our gallery here watching this Senate debate: Thank you, mom. Thank you, dad. Thanks for everything. Thanks for the national debt, and thanks for the fact that we are going to have to pay for it.

We have some alternative news for them that may be welcome. We have a chance now to help you out. We have a chance to take whatever surplus comes into the Federal Government because of our strong economy and use it to retire the national debt, to bring it down.

That is the proposal from the Democratic side, from President Clinton, and most of my fellow Senators who share the floor with me on this side of the aisle. It is a conservative approach but a sensible one.

The alternative, if we do not do it, I am afraid, is to continue to pay this $1 billion a day in interest on the debt and not bring it down.

If we stick to a disciplined, conservative approach, we can bring down this debt.

Chairman Alan Greenspan said last week: Yes, that is the highest priority. You want this economy to keep moving? You want to keep creating jobs and businesses, people building homes, starting new small businesses, and keeping inflation under control? He said the worst thing you can do is create new programs and spend it, going back to the deficit days. The second worst thing you can do, as the Republican proposal suggests, is give tax breaks to wealthy people. The best thing he said to do is to retire the national debt.

It is eminently sensible on its face. We step forward and say bringing down that debt is good for the economy, will not overheat it, will not raise interest rates. You see, if we can have interest rates continuing to come down, it helps families. How does that happen?

The Federal Government is a big borrower. Because of our $5 trillion-plus debt, we have to borrow money from all over the United States and around the world to service that debt. If we start getting out of the borrowing business, there is less demand for capital, and the cost of capital—interest rates—starts going down. What would a 1 percent reduction in the interest rate mean to families across America over the next 10 years when it comes to their mortgage payments? Savings of over $250 billion. Frankly, taking the conservative approach, paying down the national debt is not only good to keep the economy moving forward but, over the long term, the lower interest rates are good for everyone: good for families who want to buy homes; good for businesses that want to expand and hire more employees, and good all around.

That is the bottom line of this debate. The Republican approach is to spend it on tax cuts, give it to wealthy people. The Democratic approach is pay down the national debt, invest the money in Social Security and in Medicare. That, I think, is the more responsible course of action. What the Republicans would do in the second 5 years of their tax cut is actually mind-boggling, because they would be reaching into the Social Security trust fund to pay for these tax breaks for wealthy people. So folks today who are paying a high payroll tax, putting money in the Social Security trust fund so it is there for the baby boomers and others in the future, would actually be funding a tax cut for some of the wealthiest people in America instead of leaving that money in the Social Security trust fund where it belongs to meet the obligations of that system that is so important to millions of families.

I yield to the Senator from California for a question.

Mrs. BOXER. I thank the Senator from Illinois. We are having this conversation while we await the arrival of the interior appropriations bill, which I know we are both looking forward to working on with the rest of the Senate.

Nothing could be more important right now than the business that will come before this body tomorrow, a huge Republican reconciliation bill which includes these massive tax cuts to the wealthiest and, as a result of that, really crimps the functioning of the rest of the Federal Government.

Again, because my friend is so clear thinking, I underscore what he said in this colloquy.

The Democratic plan makes four very important decisions. First, the Democratic plan takes care of Social Security for the extended future. It says every single dollar of the surplus that belongs to Social Security will be locked up for Social Security, while the debt is paid down at the same time. The difference with the Republicans is, they dip into the Social Security trust fund 6 years from now.

Secondly, the Democratic plan says: What else is important? What else is the safety net for our people? Medicare. So it treats Medicare, in essence, the same way we treat Social Security. We treat it as the twin pillar of the safety net. We say we will take care of Medicare to the tune of over $200 billion. We lock that up. And while it is sitting there, it is used to pay down the external debt of the country.

The third thing we do—I have alluded to that—is debt reduction. Debt reduction is the external debt, the debt that is owed to private people, Americans and those around the world who pick up our bonds. We owe them debt. I see my friend from South Carolina who has pointed this out. Because of that debt, we are paying over $300 billion a year in interest payments which, as my friend said, is bad for the economy. It is wasteful. It does no good to anyone.

Then there is a fourth piece. That is, we take care of the business of Government. We leave enough over to take care of education, to take care of health research, to take care of airport safety, safety in the streets, highways, transit, the things that our people want us to do; we take care of the basic business of Government, no frills but the basic business of Government. Educating our kids is basic. If we don't do that, we are nowhere as a country.

My question to my friend is this: Unless we are not hearing the people, they want us to take care of Social Security and lock it up for the future. They want us to take care of Medicare and lock that money up for the future. They want us to reduce that external debt so the interest payments on the debt disappear. And they want us to take care of the basic business of Government: taking care of our kids, health research, the things we stand on this floor day in and day out talking about, how important it is to improve the quality of life for our people. That is what we do.

The Republicans, the only thing they do is take care of the wealthy. Yes, they take care of some of Social Security, but in the second 5 years, they are dipping into that pot, too.

Does my friend agree with the sort of wrap-up I have given of his remarks? Are we on the same page? And, in conclusion, does he think our plan meets the needs of our people and their plan is risky, it is frightening, it pays off the wealthy and does nothing for our other needs?

Mr. DURBIN. I agree with the Senator from California. I will say this only one more time on the floor. She may have missed it earlier, when I characterized this whole discussion about the lockbox. There is this proposal that comes forward that we create a lockbox for Social Security and for Medicare. In other words, you can't get your hands on it if you want to create a new program or whatever it might be. It is going to be separate, locked away from the grasping hands of any political leaders. So those who follow the debate will hear this: lockbox, lockbox, lockbox. But as we look carefully at the Republican tax break proposals, they reach into that Social Security lockbox in the year 2005 and start taking money out for tax breaks for wealthy people.

I said on the floor earlier, at that point it is no longer a lockbox, it is a ''loxbox,'' because it smells a little fishy. This is no lockbox, if you can reach in and take from it. That is, frankly, what we are going to face with the Republican tax break proposal.

I also say to the Senator from California and the Senator from South Carolina, who is the acclaimed expert when it comes to budget—and we are anxious to hear his comments and contribution—the other thing that is interesting is the Republican tax break plan is based on the theory that we are going to stick with spending caps forever. We are going to keep limitations on spending and appropriations forever. And with those limitations, the surplus grows, and they give it away in tax breaks primarily to wealthy people.

Look what is happening around here. The so-called caps are being breached and broken even as we speak. They came up last week and said—what a surprise—it turns out we have to take a census in America every 10 years. That is an emergency, an unanticipated event.

A census an unanticipated event? We have been taking the decennial census for centuries—not quite that long but at least for a long time. Now they are calling it an emergency to pay for the census so they can go around the caps, so they can spend the money.

It is my understanding that within the last few hours, the House of Representatives has also decided that spending for veterans hospitals is an emergency, and, therefore, we will go around the caps. Frankly, funding the census and funding veterans hospitals would be high on everyone's list here, but to call this an unanticipated emergency—most of the men and women who are being served by those hospitals served us and our country in World War II and Korea. We know who they are, and we know the general state of their health. It is predictable that they would need help at veterans hospitals. It is not an unanticipated emergency.

We are dealing in fictions; we are dealing in doubletalk, in an effort to get around the spending caps, which is the premise of the Republican tax break, that we are going to have spending caps forever. They are violating their premise even as they offer this tax break proposal.

I will make this last point to the Senator from California. She really addresses, I think, one of the basics. There are many on the Republican side who believe that, frankly, Government just gets in the way of a good life for Americans. I disagree. I think in many respects Government is important to a good life for many Americans and their families.

The Senator from California and the Senator from Illinois can certainly

agree on the issue of transportation. In Chicago, which I am honored to represent, virtually any radio station will tell you every 10 minutes the state of traffic on the major expressways around Chicago. I am sure the Senator from California can tell the same story. It is getting worse, more congestion, more delays, and more compromise in the quality of life.

We don't want to step away from a Federal contribution to transportation, not only highways but mass transit. Frankly, if we move down the road suggested by Republicans, it would jeopardize it. The same thing is true about crime. It ranks in the top three issues that people worry about. The COPS Program, which Democrats supported along with President Clinton, has created almost 100,000 new police. That brought down the crime rate in America. We want to continue that commitment to making our neighborhoods, streets, and schools safer across America.

Finally, education. I am glad the Senator from California noted this. The Federal contribution to education is relatively small compared to State and local spending, but it is very important. We have shown leadership in the past and we can in the future. It really troubles me to think we are now at a point in our history where, if no law is changed and everything continues as anticipated, we will need to build, on a weekly basis, for the next 10 years—once every week for the next 10 years—a new 1,000-bed prison, every single week for the next 10 years because of the anticipated increase in incarceration.

I think dangerous people should be taken off the street and out of my neighborhood and yours. But I don't believe Americans are genetically inclined to be violent criminals. I think there are things we can do to intervene in lives, particularly at an early stage, to make kids better students and ultimately better citizens. That means investing in education. The Republican plan steps back from that commitment to education, as it does from the commitments to transportation and fighting crime. That is very shortsighted. We will pay for it for many decades to come.

So this debate, some people say, is about a tax break. It is about a lot more. Will the economy keep moving forward? Will we make important decisions so the next generation of Americans is not burdened with paying interest on our old debt, and will we make good on our commitment to American families when it comes to important questions involving transportation, crime, education, and the quality of life?

Mrs. BOXER. Will my friend yield to me for a question?

Mr. DURBIN. I yield to the Senator from California for a question.

Mrs. BOXER. Mr. President, I want to ask him a question about an issue he and I have worked on together for so many years. It takes us back to when we were in the House together. We served together there for 10 years. That is the issue of health research.

Right now, only one out of every three approved grants is actually being funded. So that means cures for cancer, Parkinson's, AIDS, heart disease, stroke, you name it—the biggest killers—are not being found. In other words—let me repeat—we have one out of every three grants approved by the National Institutes of Health because they are very promising. If some scientist has a theory about how to cure prostate or breast cancer, he may not be able to get it done.

This will be my final question. As he goes through the Republican plan, which leaves virtually zero room, as I read it, for increases in this kind of basic spending, does the Senator not think we are shortchanging American families? When I talk to them, that is what they are scared of most.

Mr. DURBIN. I thank the Senator from California for her observation. Yes, many years ago when we were on the Budget Committee in the House, we worked together on medical research and dramatically increased the amount of money for it. It was one of the prouder moments serving on Capitol Hill. I have found, as I have gone across Illinois and around the country, that virtually every American family agrees this is an appropriate thing for the Federal Government to do—initiate and sponsor medical research.

A family never feels more helpless than when a disease or illness strikes somebody they love. They pray to God that the person will survive, and that they can find the best doctors. In the back of their minds they are hoping and praying that somewhere somebody is developing a drug or some treatment that can make a difference. And that ''somewhere,'' many times, is the National Institutes of Health in Washington, DC, in the Maryland suburbs nearby.

If we take the Republican approach of cutting dramatically the Federal budget in years to come for a tax break for wealthy people, we jeopardize the possibility that the NIH will have money for this medical research. That is so shortsighted.

It is not only expensive to continue to provide medical care to diseased or ill people, but, frankly, it is inhumane to turn our backs on the fact that so many families need a helping hand. I sincerely hope before this debate ends, we are able to bring Republicans around to the point of view that when we talk about spending on the Democratic side, it is for the basics—transportation, fighting crime, helping education, and medical research. I would take that out for a referendum across this land. I think that is the sensible way to go.

I yield the remainder of my time.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

## REALITIES OF THE BUDGET

Mr. HOLLINGS. I certainly appreciate it. I really appreciate the significance of and the emphasis the distinguished Senator from Illinois and the distinguished Senator from California are exchanging on the floor about the realities of the budget.

Mr. President, some years ago, there was this debate between Walter Lippmann and the famous educator, John Dewey, with relation to how to build a strong democracy. Mr. Lippmann contended the way to have and maintain a strong democracy was to get the best of minds in the various disciplines countrywide—whether in education, housing, foreign relations, financial and fiscal policy, or otherwise—and let them meet around the table and determine the needs of the Nation and the policy thereof; take care of those needs, give it to the politicians, give it to the Congress, and let them enact it. It was John Dewey's contention—no, he said, what we need is the free press to tell the American people the truth. These truths would be reflected through their Representatives on the floor of the national Congress, and the democracy would continue strong.

For 200-some years now, we have had that free press reporting those truths. But, unfortunately, until this morning—until this morning, Mr. President—they have been coconspirators, so to speak, in that they have joined in calling spending increases spending cuts, and calling deficits surpluses. Eureka. I picked up the Washington Post this morning, and on the front page, the right-hand headline, they talk about the shenanigans of emergency spending and calling up the CBO with different economic assumptions—finding $10 billion. Just go to the phone if you are Chairman of the Budget Committee, call up Mr. Crippen over at CBO and say: Wait a minute. Those economic assumptions we used in the budget resolution—I have different ones. Therefore, give me $10 billion more. It is similar to calling up a rich uncle.

That is now being exposed in the Wall Street Journal. Of all things, they are talking in the front middle section about national and international news headlines and talking about double accounting and how they give them credit for saving the money and spending it at the same time. There is a whole column by our friend David Rogers on page 24. So, eureka, I found it. We are now breaking through and beginning to speak the truth.

I know the distinguished Chair is very much interested in actual and accurate accounting, and the actual fact is we are running a deficit, the Congressional Budget Office says, of $103 billion this year, which ends with August and September—just 2 more months after this July, and we will have spent $103 billion more than we take in; namely, on the deficit.

So, Mr. President, when you hear all of this jargon and plans about surpluses and how they find them and

whatever else, you go to the books and you turn to their reports and you say: Wait a minute now. The President came out in his document here, the CBO report—and I hold in my hand the midsession review, which came out 10 days ago and I said: Wait a minute. Let me find out where they find this surplus.

On the contrary, on page 42, under the heading ''Total Gross Federal Debt''—Mr. President, I ask unanimous consent that this page be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 21.—FEDERAL GOVERNMENT FINANCING AND DEBT WITH SOCIAL SECURITY AND MEDICARE REFORM [1]

[In billions of dollars]

| | 1998 Actual | Estimates | | | | | |
|---|---|---|---|---|---|---|---|
| | | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
| Financing: | | | | | | | |
| Surplus or deficit(−) | 69.2 | 98.8 | 137.4 | 144.1 | 154.2 | 165.1 | 175.0 |
| (On-budget) | −29.9 | −24.8 | ..... | ..... | ..... | ..... | ..... |
| (Off-budget) | 99.2 | 123.6 | 137.4 | 144.1 | 154.2 | 165.1 | 175.0 |
| Means of financing other than borrowing from the public: | | | | | | | |
| Medicare solvency transfers | ..... | ..... | 4.8 | 0.3 | 12.3 | 5.2 | 6.9 |
| Changes in:[2] | | | | | | | |
| Treasury operating cash balance | 4.7 | −6.1 | ..... | ..... | ..... | ..... | ..... |
| Checks outstanding, etc.[3] | −10.5 | −1.6 | −1.2 | ..... | ..... | ..... | ..... |
| Deposit fund balances | −0.8 | −1.7 | ..... | ..... | ..... | ..... | ..... |
| Seigniorage on coins | 0.6 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| Less: Net financing disbursements: | | | | | | | |
| Direct loan financing accounts | −11.5 | −25.2 | −21.2 | −20.1 | −19.6 | −19.2 | −17.7 |
| Guaranteed loan financing accounts | −0.5 | 1.6 | 0.9 | 1.8 | 1.8 | 1.8 | 2.0 |
| Total, means of financing other than borrowing from the public | −18.0 | −32.0 | −15.8 | −17.0 | −4.4 | −11.2 | −7.8 |
| Total, repayment of the debt held by the public | 51.3 | 66.8 | 121.6 | 127.1 | 149.8 | 154.0 | 167.2 |
| Change in debt held by the public | −51.3 | −66.8 | −121.6 | −127.1 | −149.8 | −154.0 | −167.2 |
| Debt Outstanding, End of Year: | | | | | | | |
| Gross Federal debt: | | | | | | | |
| Debt issued by Treasury | 5,449.3 | 5,586.7 | 5,675.9 | 5,754.3 | 5,840.5 | 5,924.1 | 6,006.8 |
| Debt issued by other agencies | 29.4 | 28.6 | 27.7 | 26.7 | 25.7 | 24.3 | 23.0 |
| Total, gross Federal debt | 5,478.7 | 5,615.3 | 5,703.6 | 5,781.0 | 5,866.1 | 5,948.4 | 6,029.8 |
| Held by: | | | | | | | |
| Government accounts | 1,758.8 | 1,962.2 | 2,172.2 | 2,376.6 | 2,611.6 | 2,847.9 | 3,096.5 |
| The public | 3,719.9 | 3,653.0 | 3,531.4 | 3,404.4 | 3,254.5 | 3,100.5 | 2,933.3 |
| Federal Reserve Banks[4] | 458.1 | ..... | ..... | ..... | ..... | ..... | ..... |
| Other | 3,261.7 | ..... | ..... | ..... | ..... | ..... | ..... |
| Debt Subject to Statutory Limitation, End of Year: | | | | | | | |
| Debt issued by Treasury | 5,449.3 | 5,586.7 | 5,675.9 | 5,754.3 | 5,840.5 | 5,924.1 | 6,006.8 |
| Less: Treasury debt not subject to limitation[5] | −15.5 | −15.5 | −15.5 | −15.5 | −15.5 | −15.5 | −15.5 |
| Agency debt subject to limitation | 0.2 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| Adjustment for discount and premium[6] | 5.5 | 5.5 | 5.5 | 5.5 | 5.5 | 5.5 | 5.5 |
| Total, debt subject to statutory limitation[7] | 5,439.4 | 5,576.7 | 5,665.9 | 5,744.3 | 5,830.5 | 5,914.1 | 5,996.8 |

[1] Treasury securities held by the public and zero-coupon bonds held by Government accounts are almost entirely measured at sales price plus amortized discount or less amortized premium. Agency debt is almost entirely measured at face value. Treasury securities in the Government account series are measured at face value less unrealized discount (if any).

[2] A decrease in the Treasury operating cash balance (which is an asset) is a means of financing the deficit and therefore has a positive sign. An increase in checks outstanding or deposit fund balances (which are liabilities) would also be a means of financing the deficit and therefore would also have a positive sign.

[3] Besides checks outstanding, includes accrued interest payable on Treasury debt, miscellaneous liability accounts, allocations of special drawing rights, and as an offset, cash and monetary assets other than the Treasury operating cash balance, miscellaneous asset accounts, and profit on sale of gold.

[4] Debt held by the Federal Reserve Banks is not estimated for future years.

[5] Consists primarily of Federal Financing Bank debt.

[6] Consists of unamortized discount (less premium) on public issues of Treasury notes and bonds and unrealized discount on Government account series securities, except, in both cases, for zero-coupon bonds.

[7] The statutory debt limits is $5,950 billion.

Mr. HOLLINGS. Then you see the total gross Federal debt, and you see for the 5-year projection—from the years 2000, 2001, 2002, 2003, 2004—it goes from a debt of $5.7036 trillion to $6.298 trillion. That shows the debt going up. And everybody is talking ''surplus.''

Then I turn over to page 43. This is the President's projection. You can see over the 15 years—not 5 years.

I ask unanimous consent that page 43 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 22.—FEDERAL DEBT WITH SOCIAL SECURITY AND MEDICARE REFORM

[In billions of dollars]

| | Estimates | | | | | | | | | | Projections | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
| Debt held by the public: | | | | | | | | | | | | | | | |
| Debt held by the public, beginning of period | 3,653 | 3,531 | 3,404 | 3,255 | 3,101 | 2,933 | 2,744 | 2,525 | 2,262 | 1,964 | 1,625 | 1,249 | 944 | 637 | 335 |
| Debt reduction from: | | | | | | | | | | | | | | | |
| Off-budget surplus: | | | | | | | | | | | | | | | |
| Surplus pending Social Security and Medicare reform | −137 | −144 | −154 | −165 | −175 | −193 | −202 | −215 | −225 | −233 | −243 | −246 | −248 | −246 | −241 |
| Social Security solvency transfers | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | −107 | −125 | −145 | −166 |
| Returns on investment of transfers[1] | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | −3 | −14 | −27 | −43 |
| Medicare solvency transfers | −5 | −0 | −12 | −5 | −7 | −10 | −29 | −59 | −83 | −113 | −142 | −67 | −68 | −65 | −58 |
| Less purchase of equities by Social Security trust fund[1] | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 110 | 139 | 172 | 209 |
| Other financing requirements[2] | 21 | 17 | 17 | 16 | 15 | 13 | 12 | 11 | 9 | 8 | 8 | 8 | 8 | 9 | 9 |
| Total changes | −122 | −127 | −150 | −154 | −167 | −189 | −219 | −263 | −298 | −339 | −376 | −305 | −307 | −302 | −291 |
| Debt held by the public, end of period | 3,531 | 3,404 | 3,255 | 3,101 | 2,933 | 2,744 | 2,525 | 2,262 | 1,964 | 1,625 | 1,249 | 944 | 637 | 335 | 44 |
| Less market value of equities | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | −110 | −248 | −420 | −629 |
| Debt held by the public, less equity holdings, end of period | 3,531 | 3,404 | 3,255 | 3,101 | 2,933 | 2,744 | 2,525 | 2,262 | 1,964 | 1,625 | 1,249 | 834 | 388 | −85 | −585 |
| Debt held by Government accounts: | | | | | | | | | | | | | | | |
| Debt held by Government accounts, beginning of period | 1,962 | 2,172 | 2,377 | 2,612 | 2,848 | 3,096 | 3,363 | 3,667 | 4,012 | 4,394 | 4,823 | 5,299 | 5,822 | 6,374 | 6,949 |
| Increase prior to Social Security reform | 205 | 204 | 222 | 230 | 240 | 254 | 271 | 280 | 289 | 299 | 310 | 315 | 318 | 317 | 314 |
| Social Security and Medicare solvency transfers | 5 | 0 | 12 | 5 | 7 | 10 | 29 | 59 | 83 | 113 | 142 | 173 | 193 | 210 | 224 |
| Earnings on solvency transfers invested in Treasury securities | 0 | 0 | 1 | 1 | 2 | 2 | 3 | 6 | 11 | 17 | 25 | 35 | 42 | 48 | 55 |
| Less purchase of equities by Social Security trust fund[1] | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | −110 | −139 | −172 | −209 |
| Total changes | 210 | 204 | 235 | 236 | 249 | 266 | 304 | 345 | 382 | 429 | 476 | 523 | 552 | 575 | 593 |
| Debt held by Government accounts, end of period | 2,172 | 2,377 | 2,612 | 2,848 | 3,096 | 3,363 | 3,667 | 4,012 | 4,394 | 4,823 | 5,299 | 5,822 | 6,374 | 6,949 | 7,543 |
| Plus market value of equities | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 110 | 248 | 420 | 629 |
| Debt and equities held by Government accounts, end of period | 2,172 | 2,377 | 2,612 | 2,848 | 3,096 | 3,363 | 3,667 | 4.012 | 4,394 | 4,823 | 5,299 | 5,932 | 6,623 | 7,369 | 8,172 |

[1] Includes accrued capital gains.

[2] Primarily credit programs.

Note: Projections for 2010 through 2014 are an OMB extension of detailed agency budget estimates through 2009.

Mr. HOLLINGS. Mr. President, you see the debt held by government accounts, end of period, $7.543 trillion, plus up there at the end of the period, the little 44, making an increase of debt to $7.587 trillion. There is the debt going up from $5.6 trillion to $7.6 trillion, an increase of $2 trillion in the debt.

Everybody is talking ''surplus.'' I wonder where in the world do they get the surplus. We are beginning to see it in the double accounting in the Wall Street Journal and otherwise.

Let's go to the Congressional Budget Office because my good friend, the distinguished Senator from Nebraska, talked about a $2.9 trillion surplus. He is right. In the rhetoric at the very beginning, they talk about a surplus here on page 2—cumulative onbudget surpluses of projected and total, nearly $1 trillion between 1999 and 2009. During that same period, cumulative off-budget surpluses will total slightly more than $2 trillion. That is where he finds, I take it, the $2.9 trillion.

I ask unanimous consent to have printed in the RECORD from the Congressional Budget Office report of July 1, page 19.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 10.—CBO BASELINE PROJECTIONS OF INTEREST COSTS AND FEDERAL DEBT

[By fiscal year]

| | Actual 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NET INTEREST OUTLAYS (BILLIONS OF DOLLARS) | | | | | | | | | | | | |
| Interest on Public Debt (Gross interest)[1] | 364 | 356 | 358 | 358 | 350 | 345 | 342 | 338 | 333 | 328 | 323 | 316 |
| Interest Received by Trust Funds: | | | | | | | | | | | | |
| Social Security | −47 | −53 | −59 | −67 | −74 | −82 | −91 | −100 | −110 | −121 | −132 | −144 |
| Other trust funds[2] | −67 | −68 | −70 | −73 | −74 | −76 | −79 | −81 | −84 | −87 | −89 | −92 |
| Subtotal | −114 | −120 | −129 | −140 | −148 | −159 | −170 | −182 | −194 | −208 | −222 | −236 |
| Other Interest[3] | −7 | −7 | −6 | −7 | −7 | −7 | −8 | −8 | −8 | −8 | −8 | −9 |
| Total | 243 | 229 | 222 | 212 | 194 | 179 | 164 | 148 | 131 | 112 | 92 | 71 |
| FEDERAL DEBT AT THE END OF THE YEAR (BILLIONS OF DOLLARS) | | | | | | | | | | | | |
| Gross Federal Debt | 5,479 | 5,582 | 5,664 | 5,721 | 5,737 | 5,760 | 5,770 | 5,770 | 5,732 | 5,675 | 5,600 | 5,500 |
| Debt Held by Government Accounts: | | | | | | | | | | | | |
| Social Security | 730 | 856 | 1,003 | 1,157 | 1,321 | 1,493 | 1,675 | 1,869 | 2,075 | 2,292 | 2,520 | 2,755 |
| Other accounts[2] | 1,029 | 1,107 | 1,188 | 1,267 | 1,350 | 1,431 | 1,510 | 1,589 | 1,666 | 1,743 | 1,813 | 1,880 |
| Subtotal | 1,759 | 1,963 | 2,190 | 2,425 | 2,670 | 2,925 | 3,185 | 3,458 | 3,741 | 4,035 | 4,333 | 4,635 |
| Debt Held by the Public | 3,720 | 3,618 | 3,473 | 3,297 | 3,066 | 2,835 | 2,584 | 2,312 | 1,992 | 1,640 | 1,267 | 865 |
| Debt Subject to Limit[4] | 5,439 | 5,543 | 5,626 | 5,684 | 5,700 | 5,724 | 5,734 | 5,736 | 5,699 | 5,643 | 5,568 | 5,469 |
| FEDERAL DEBT AS A PERCENTAGE OF GROSS DOMESTIC PRODUCTS | | | | | | | | | | | | |
| Debt Held by the Public | 44.3 | 40.9 | 37.5 | 34.2 | 30.5 | 27.1 | 23.7 | 20.3 | 16.8 | 13.2 | 9.8 | 6.4 |

[1] Excludes interest costs of debt issued by agencies other than the Treasury (primarily the Tennessee Valley Authority).
[2] Mainly Civil Service retirement, Military Retirement, Medicare, unemployment insurance, and the Airport and Airway Trust Fund.
[3] Mainly interest on loans to the public.
[4] Differs from the gross federal debt primarily because most debt issued by agencies other than the Treasury is excluded from the debt limit. The current debt limit is $5,950 billion.

Source: Congressional Budget Office.
Note: Projections of interest and debt assume that discretionary spending will equal the statutory caps on such spending through 2002 and will grow at the rate of inflation thereafter.

Mr. HOLLINGS. Mr. President, I have given the American people, as John Dewey said, ''the truth,'' because you look from 2000 right on through where they talk about the gross Federal debt, and the gross Federal debt starts up from the year 2000 and increases to the year 2004 from $5.664 trillion to $6.029 trillion. It is the same for 2004 and 2005.

Yes. I will agree that the Congressional Budget Office shows a diminution, a reduction, in the deficit from the year 2005 to 2009 over the 4-year period. There is a saving or reduction in 2006 of $38 billion; a reduction in the year 2007 of $57 billion; a reduction in the year 2008 of $75 billion; and a reduction in the year 2009 of $100 billion. So it is a cumulative reduction of $270 billion.

They talk about a $2.9 trillion surplus? At best they could talk, under the Congressional Budget Office, about $270 billion.

The reason they even can find the $270 billion is the most favorable of circumstances. The most favorable of circumstances is, one, current policy, as they say on one of the pages here. It says that it assumes discretionary spending will equal the statutory caps on such spending through 2002, and will grow at the rate of inflation thereafter.

That is the most favorable circumstance—no increases; just cap the spending, and adjust inflation thereafter for the first 5 years and inflation thereafter for the next 5 years. It assumes no emergency spending.

We have already seen that they are calling, as the distinguished Senator from Illinois was pointing out, the census an emergency. They have veterans' benefits as an emergency and they have everything else as an emergency. It assumes also that there is no tax cut and that the interest rate stays the same. You have all of these favorable assumptions, and at best, under the Congressional Budget Office, a saving of $270 billion rather than $2.9 trillion.

I have been trying my best to get a time to get on this floor. I thank everybody for the simple reason that the best of circumstances here are that, yes, inflation is low; interest rates are down; unemployment is down; employment figures are up. We have the best of circumstances, to President Clinton's credit. Yes, the deficits have been coming down.

Having said that, as Alan Greenspan said earlier in the year, let's stay the course. Let's stay the course and make sure we continue this, if there is ever a time to pay down the bill—I am glad the Senator from Illinois touched on this—the interest costs.

I was a member of the Grace Commission against waste, fraud, and abuse. We created during the 1980s the biggest waste in the world by voting a 25-percent across-the-board tax cut. Here we are about to repeat the crime. That is a crime against common sense. It is a crime against future generations. There isn't any question about it.

But everybody is talking about a tax cut. Republicans are talking one tax cut. The Democrats are talking, the White House is talking, and everybody is talking tax cut when in reality we don't have any taxes to cut. We don't have any revenues to lose. Everybody knows that. We created the biggest waste in that year. The interest costs are practically $1 billion a day on the national debt.

On the same page as we have included in the RECORD, page 19, you will see in the 10-year period, from 2000 through 2009, we spend on interest costs—total waste—$3.4441 trillion for nothing over the 10-year period.

They are talking about fanciful surpluses out of the atmosphere that do not exist, and otherwise not talking about the tremendous waste for the crass hypocrisy of this monkeyshine of politics that we have to somehow neutralize the Republican tax cut with our tax cut. Come on. Can't we neutralize ourselves with the truth for a change? We are spending $3.4 trillion.

I see my distinguished colleague, the Senator from North Dakota, looking. I must have already used up my time.

I yield to the distinguished Senator from North Dakota.

Mr. DORGAN. Mr. President, will the Senator yield for a question?

Mr. HOLLINGS. Yes.

Mr. DORGAN. Mr. President, yesterday on NPR's ''Morning Edition,'' Kevin Phillips, a Republican author and commentator, had some interesting comments, and I wonder if the Senator from South Carolina had an opportunity to hear this Republican commentator discussing the House of Representatives tax cut.

Tax bills often deal with Pie in the Sky. The mind boggling ten-year cuts passed late last week by the House of Representatives however deserve a new term: Pie in Stratosphere.

He points out that the top 1 percent would get 33 percent of the tax cuts; the bottom 60 percent get only 7 percent of the tax cuts.

I thought the last paragraph of this Republican commentator was interesting:

We can fairly call the House legislation the most outrageous tax package in 50 years. It's worse than the 1981 excesses, you have to go back to 1948, when the Republican 80th Congress sent a kindred bill to President Harry Truman. Truman vetoed it, calling the Republicans bloodsuckers, with offices in Wall Street. Not only did he win reelection, but the Democrats recaptured Congress. We'll see if Bill Clinton and Albert Gore have anything resembling Truman's guts.

This is from a Republican commentator. He points out the amount of these tax cuts extending 10 years into the future, by economists who predict these surpluses; economists who can't remember their phone numbers and their home addresses are telling Americans that in 3, 5, 10 years in the future we will have big surpluses. What do we do? The House of Representatives says: Give most of the surpluses back to 1 percent of the people.

A Republican columnist, Kevin Phillips, says it is the most outrageous tax package in the last 50 years.

Can the Senator from South Carolina comment?

Mr. HOLLINGS. I will comment, too, on what the Senator from Illinois discussed about the lockbox and why we can't talk. We couldn't talk about lockbox, and we couldn't get cloture for the simple reason they would not allow my amendments. I gave them notice. I sent a ''Dear Colleague'' letter to all Senators. I said, No. 1, I will put in a true lockbox. It was worked out with the Social Security Administration. Ken Apfel, who used to work with me when I was chairman of the Budget Committee, is now the Social Security Administrator. The only way to get a true lockbox is to not double the counting and say, I saved it, but then spend it. On the contrary, actually require the Secretary of the Treasury to deposit those amounts each month, place the Treasury bills you have to issue for the debt of Social Security back into the Social Security trust fund.

Somebody says: Wait; what are you going to do with that money? Do exactly what all pension reserves and insurance companies do: Keep it there—what we did for 35 years, from 1935 to 1968, until this changed in 1969. I was going to put a cap on the debt. They think it is a surplus. Say whatever the debt is as of September 30th, in 2 months' time, cap it off. Say that can't be exceeded. Put that limit there and find out who is telling the truth.

They are talking surpluses. I am saying it is deficits. It is debt increases.

Also, cut out the monkeyshine. The distinguished Senator from New Mexico and I had challenged the late Senator Chiles when he was chairman of the Budget Committee and he started using different economic assumptions. We lost on appeal of the ruling of the Chair, but we came around with 301(g) and wrote in the Budget Act that you couldn't have the new economic assumptions different from those in each particular budget resolution. These are the things we wanted to put in with respect to getting truth in budgeting when we passed Gramm–Rudman-Hollings back in 1985.

We have gone totally astray—the White House, Republican and Democrat, the news media—until this morning. That is my point. I thank the Wall Street Journal, I thank the Washington Post for finally reporting some of the truths out here. If we can't level with the American people, no wonder they are talking about ''what kind'' of tax cut. They all want to pay down the debt. When they use the expression, ''pay down the debt'' or the ''public debt,'' it doesn't pay any debt at all.

Those T bills come due during the next 10 years and are not renewed. In the meantime, while they are not being renewed, the debt is transferred over to Social Security and other trust funds, so we owe Social Security this very minute $857 billion; by the year 2009, we will owe Social Security $2.7 trillion. Then they talk not only of surpluses but saving Social Security, how we have extended the life of Social Security, when we have actually bankrupted the blooming program.

Mr. President, $2.7 trillion by 2009; we get to 2013, when they really need the money, and it will be over $3 trillion. What Congress will find $3 trillion to start paying the benefits? This is serious business.

I see the distinguished Senator from Wyoming.

Mrs. BOXER. Mr. President, I have one question.

The PRESIDING OFFICER. All time has expired.

Mrs. BOXER. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. Reserving the right to object, our side hasn't had 1 minute of debate on this; the other side has used up 45 minutes.

Mrs. BOXER. I ask for 2 additional minutes so that the senior Senator may answer a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Has the Senator heard from his people that they are clamoring for the tax cuts? Has he heard from his people who are earning in the high dollar amounts, and who will benefit from this, that they want the tax cuts?

Someone earning $800,000 a year is going to get back $22,000 a year, and someone earning $30,000 gets back $100 bucks. Are the phones in his office ringing off the hook with people asking for these tax cuts and to forget about Social Security and Medicare?

Mr. HOLLINGS. I thank the distinguished Senator and will limit my time so the Senator from Wyoming can take the floor.

The answer is, no, the phone is not ringing off the hook. I had this in the campaign for reelection last year. I put in a value-added tax in order to retire the deficit and the debt. Of course, I was called ''High Tax Hollings.'' I said, rather than tax cuts, we ought to get rid of the national debt and the waste of interest costs of $1 billion a day. I was reelected.

We have the most Republican of all States. South Carolina is the most conservative of all States.

Somehow the truth is coming around to the American people, or at least to the Washington Post and the Wall Street Journal as of this morning. I thank them for that.

The PRESIDING OFFICER. The Senator from Wyoming.

## TAX RELIEF

Mr. ENZI. Mr. President, I thank the Senator from South Carolina for his comments. As the accountant in the Senate, I appreciate when others join in the debate about the accounting issue, that if there is a surplus, why is the national debt going up? It is a very simple test. It is printed in the RECORD.

It is our duty to be sure there is good accounting around here; that we aren't keeping two sets of books; that we aren't borrowing the best of each world. The articles mentioned, I point out, said everybody is involved in this. The President is even accepting the best of both worlds so that things can be done this year rather than future years when a more accurate surplus shows up.

The best anybody is estimating now is $3 trillion in surplus. This is supposed to be a true surplus after Social Security. We are almost $6 trillion in debt. Even if all the surplus went to debt, we would still be $3 trillion in debt. That is a lot of money.

However, what we are talking about today isn't whether it is true surplus or not. We are not talking about spending down the national debt. We are talking about spending versus tax relief. Taking away from tax relief by the Democrats isn't with the intent of paying down the national debt. It is to put the money into new programs. We already have programs not adequately funded

in this country. We have programs we have dedicated ourselves to in the past that are not adequately funded.

We keep hearing ideas from the other side. We all have ideas about how to spend our money. We hear the ideas for new spending programs, which we will also inadequately fund. However, it is spending versus tax relief.

If Members are confused, it is confusion in the rhetoric just heard: spending versus tax relief. We are saying there will have been a true overpayment of $3 trillion. That is an overpayment of your tax money.

Do you want that spent on new programs, or do you want to get some of it back? That is the issue.

If we are truly talking about paying down the national debt—Senator ALLARD and I have a bill that calls for paying off that national debt. It does not call for just paying down the national debt, but it calls for paying off the national debt over a 30-year period just as you pay a house mortgage. We are all familiar with that. It has been talked about on this floor this morning. It would pay it down like a house mortgage with 30 years of payments.

How do we do that? We take $30 billion of that a year, plus the interest we save by paying down the debt, and we pay it off over a 30-year period. It does not have all the pain everybody talks about, but it is something we owe to future generations. It was not the future generations who spent the money; it was us. We have an obligation to start the payments. We are buying a house for future generations, and, yes, they will have to make some of the payments on it because it extends over 30 years. But we can pay off the national debt, and we can do it and still have money to do some of the other things.

There is a bill that will put that on 30-year payments. I hope the people will pay a little bit more attention to it while we are touting paying off the national debt. That should be an important factor for us. That is not what the debate is about. The debate is about spending versus paying back overpayment of taxes.

I listened to these 45 minutes of speeches that preceded me, and it appears to me the Democrat definition of wealthy is anyone who pays taxes: If you pay taxes, you ought not get any back; we just have to worry about the poor.

Everybody in this country gets something from the Government—everybody. As we look at the other people, sometimes it appears as if they are getting more, but everybody gets something from the Government. We are in a situation in this country where almost half the people do not pay taxes. When that slips over half in a democracy, in a republic where we vote for our elected officials, what will be the sole source, the sole reason, for that vote? Whether we pay taxes or not. There will always be some paying taxes, and those who pay the taxes when there is an overpayment ought to receive some of their money back.

The President has been saying he wants to save Social Security first, that he wants to extend the life of Medicare second, and let me—it is a little confusing what comes third; I think it is spending and then tax relief.

I have listened to two State of the Union speeches where the message was: Save Social Security first. I am still waiting for the plan, a true plan. I have seen the plan where money is taken from Social Security and put into the trust fund and then a check is written for spending, and all the trust fund winds up with is IOUs. That is the way it has been, it is the way it is, and it is the way the President wants it to be.

You can take that money and, instead of putting it back into regular spending, you can put it back into Social Security. This is the greatest pyramid scheme that has ever happened. You can show where you get that trust fund up a couple trillions of dollars, and it is just by spending the money in the trust fund and putting it back in again. It is the same money being counted time after time. We cannot put up with that. That is not true accounting. That is what we have been talking about this morning. That does not save Social Security.

We do have a crisis coming up in Social Security. There are at least five plans on Social Security. The best of each of those plans can be combined into one, and we can save Social Security first.

Medicare is extremely important. There are a lot of people relying on it. Do my colleagues know what the biggest debate in Medicare is these days? How we can spend more money, how we can include more people, include more benefits. And we are still leaving those people who are really counting on Medicare dangling. We have a trust fund that we are spending. It is revolving, too. We have to quit doing the IOUs.

There is something else that is a little misleading on this tax policy. This is not a Republican plan; this is a bipartisan plan which passed out of the Finance Committee. If my colleagues will check the Washington Post that everybody seems so intent on quoting this morning, they will find a guest editorial by BOB KERREY who explains why the tax relief package is important and why he voted for the tax relief package. It is a bit more complicated than anything I am interested in, but every Senator does not get his own way on a tax package, and I am willing to recognize that.

Again, we need to save Social Security, we need to strengthen Medicare, we need to take care of debt reduction, and I have already suggested a way that might be done. There is a bill that will do that relatively painlessly over a 30-year period. I do hope that, instead of going into a whole bunch of new spending programs, some of which are very new and not well thought out, we will look at tax relief for every American taxpayer as the money is available, and that is giving a tax break to those who are paying the tax.

I also want to talk about small business and individual death relief. It is a big issue in my part of the country. Most of Wyoming is small businesses. Those small businesses are sometimes retailers, sometimes manufacturing, quite often they are ranches and farms.

Let me tell you what happens when the head of household dies. The IRS estimates the value of his property—estimates it. I have not heard anybody saying that those estimates are low. They estimate the value of the property, and that family sells off part of the land or all of it to pay that tax debt. If one sells off a part of a ranch or a farm, quite often what they are left with is not economically viable. In fact, in the current economic situation there is a lot of question about the economic viability of the future of our family farms and ranches. There is tremendous concern for that.

We also have this death tax we impose by IRS estimates at the time of death. If I were involved in the Finance Committee final decisions on these things, the way I would work that is not to have an estimate at the time of death. Instead, I would have the real value at the time there is any sale. If that stays in the family, it keeps the same basis it always had and they do not have to estimate it. When the property is sold, when the business is sold, you are not eliminating an economically viable business at that point in time. At that point in time, you are just collecting the revenues for a true value on a sale. There are other ways that can be enhanced, and I hope in an incremental way they will be.

I see the Senator from Texas is here. I have joined her in working on marriage tax penalty relief, a grossly unfair situation in the United States. We are not putting our tax policy where our mouth is. We are saying we want stronger families in this country, and then we are penalizing marriage. We cannot have that.

There are a number of changes that need to be made in our tax policy. When I came here, I was very naive. I anticipated that Senators sat down in little groups and talked about policy like this and then crossed outlines and added words and came up with bills on which people agreed. I am a little disappointed in how much cross-communication there is here.

I congratulate the Finance Committee for the work they did on this tax package. It is a bipartisan tax package. I hope people will work to improve it, that they will work not only on the Senate side but they will work on the other side of this building. Often it looks to me as if we have more conflicts between the House and Senate than we have between Democrats and Republicans.

When one is listening to the rhetoric on whether we are going to spend,

which is the reason for not doing tax relief, or do tax relief, pay attention to the debate, and, yes, my colleagues will hear some dissension among the Republicans, probably because we understand taxes and want to come up with the best possible plan, the best possible way to deal with any overpayment that comes up.

I thank the Chair and yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank my colleague from Wyoming for talking about the tax cuts and why we need them because we heard a lot of debate this morning about that very issue.

I think we are getting down to the core issue between how the Democrats on their side of the aisle would spend taxpayer money and how the Republicans would spend taxpayer money.

I think you can tell right off the bat what people are going to think about tax cuts by how they describe them. When they talk in terms of: How much is it going to cost us to give tax cuts to the American people, right away you know they believe the money you earn belongs to them.

We believe the money you earn belongs to you. We do not think we have a choice to take that money and go spend it on some program that you may or may not like. But if you had the choice of whether to spend $500 to take your children on a vacation or to make a car payment or to save for a downpayment on a home, or a program that may or may not affect you, most people would rather make the decisions themselves.

So let's talk about some of the issues that have been raised this morning.

First of all, if I heard ''reckless'' one time, I heard it 100 times this past weekend. Let's talk about ''reckless.'' We have $3 trillion estimated as our surplus. Let's talk about how we are going to spend that, and let's see if it seems reckless.

We are going to set aside 75 cents of every dollar of the surplus for paying down debt, for strengthening Social Security, for spending on Medicare, education, and other sources. That will be 75 cents on the dollar to pay down debt, strengthening Social Security, strengthening Medicare, and other spending items.

And 25 cents of every dollar is going to be given back to the people who earned it. So 75 percent to pay down debt; 25 percent given back to the people who earned it.

We are not a corporation. We do not have a choice of what to do with profits. We take just as much money as we are going to need to fund legitimate Government programs and services. That is what governments do. Anything left over goes right back to the people who earned it.

Right now, the people of our country are paying more in peacetime taxes than ever in our history. They deserve to have some of that money back. Many families have two income earners just to cover the taxes so they can keep their quality of life for themselves and their children. We want them to have the quality of life they choose, not by taking taxes from them but by letting them decide how they spend the money they earn.

I am reading a headline in the Washington Post that says: ''Clintons Plan Appeal to Women on Tax Cut.'' They make the argument that we are not going to do anything for Medicare, and if we do not strengthen Medicare it is going to hurt women the most because they live longer.

I agree with the premise that women live longer, and cutting Medicare so that it is not there for them would hurt women the most, but that is not what the Republican plan does. The Republican plan does set aside the money for Medicare.

I would ask the President, when he is talking about strengthening Medicare, why he chose to disregard his own Medicare trustees and the bipartisan plan they supported that would have strengthened Medicare on a bipartisan basis and would have given prescription drug help to those who need it that was agreed to by both sides of the aisle in Congress; and yet the President walked away from that Medicare reform. Today he is saying our plan does not help Medicare, when he had a chance to help Medicare and he walked away from it—a bipartisan effort of Congress to save Medicare.

I do not think the President can have it both ways.

Let me tell you what our tax plan does for the women of our country.

No. 1, we eliminate the marriage penalty tax. If a policeman marries a schoolteacher, they owe $1,000 more in taxes to the Federal Government because they got married. The highest priority the tax cut plan has is to eliminate that penalty. I would say that is very good for the women of our country because they are often the ones who are discriminated against with the marriage penalty tax. We are going to correct that with our tax cut plan. I think that is good for the women of our country.

No. 2, I have introduced a bill for the last 3 years that would allow women who leave the workplace and have children and decide to raise their children, either 6 years before they start school or even 18 years if they decide to, when they come back into the workforce they would be able to buy back into their pension plans as if they had not left.

You see, women are discriminated against in our country, in the pension system especially, because they are the ones who live the longest and they have the lowest pensions. They have the lowest pensions because women are the ones who have children and who stay home to raise them for at least part of the early years, and they never get to catch up under the present system.

I commend Senator ROTH for making that a priority in the Senate tax cut bill, that we would stop discrimination in the pension plans of women in the workforce by allowing them to catch up.

So I think we have done a lot for women. We are setting aside the money to strengthen Medicare; $500 billion over 10 years for added spending on Medicare, education, defense. We need to have that cushion—$500 billion.

In addition to that, we set aside all of the Social Security surplus—every single penny. We fence it off for Social Security because that is the No. 1 concern, and it is the No. 1 stabilizing force for the elderly in our country. That is the first priority in our whole plan. Also, $2 trillion goes directly to Social Security reform and stabilization. That will be fenced off.

The other $1 trillion we want to divide among spending increases and tax cuts. We believe it is a balanced plan. We believe the American people deserve to have back in their pocketbooks the money they earn in order to make the decisions for their families. Also, we have been especially attentive to trying to bring equality for women back into the system.

It is the Republican Congress that gave women the right to contribute equally to IRAs. Before we had our tax cut plan 2 years ago, women who didn't work outside the home could only set aside $250 a year for their retirement security; whereas, if you worked outside the home, you could set aside $2,000 a year. That has gone away. We have equalized women who work outside the home and women who work inside the home with our IRA spousal opportunities.

Now we have to go back and help them on pensions, too. That is where the lion's share of the stability is for our retired people. It is in their retirement systems. That is where women have been hit the hardest because it is women, by and large, who have the children and who will stay home and raise them. I applaud the men who do this, and I appreciate them, but by and large, it is the women who do it. When they come back into the workforce, they are penalized by not being able to have the opportunity to buy back into their pension system so they will have stability when they retire.

Our bill does target women. It is a balanced bill. It saves Social Security. It contributes to more Medicare. It allows for added spending, and it gives tax cuts to the working people who earn this money. We don't own this money. The people who earn it own it. That is the difference I ask the people of our country to look at as we go through this debate.

Listen to how people talk about tax cuts. If they talk about what it costs the Federal Government, then they don't think your money belongs to you. If they talk about it in terms of how do

we best give it back to the people who own it, then you know we are looking out for the hard-working American who owns the money and wants to do his or her fair share to contribute to government but isn't looking to finance a landslide.

Mrs. BOXER. Will the Senator yield for a question on the amount of money that a person who earns $800,000 a year gets in a tax break compared to the person who earns $30,000? Will she answer that question?

Mrs. HUTCHISON. Yes, I will answer that question because the Senator from California raises a good point. You have to look, in an across-the-board tax cut, at what people are paying in taxes. A family of four who makes $30,000 doesn't pay taxes. I am glad they don't.

Mrs. BOXER. They certainly do pay taxes. Under your plan, they get back $121 of their hard-earned income. Under your plan, the $800,000 person gets back $22,000. If you earn a million, you get back $30,000. I think when the Senator says hard-working Americans, she is talking about, in their plan, hard-working, very wealthy Americans, unfortunately, leaving out the bulk of the people.

Mrs. HUTCHISON. Actually, I think the Senator from California is overlooking the fact that everyone gets an across-the-board tax cut. In fact, in the Senate plan, it is weighted toward the lower levels because you only have the 1-percent decrease in the 15-percent tax rate.

The average person who pays hundreds of thousands of dollars in taxes is going to receive about $400 in tax relief in the Senate plan. The House plan is different. The House plan gives 10 percent across the board based on how much you pay, which I think is fair. I think everyone should get the benefit according to what they have paid.

The Senate plan is very heavily weighted. I am surprised the Senator from California would oppose something that does help people at the lower end of the scale.

Mrs. BOXER. I say to my friend, read the CBO estimate. If you earn $30,000, you get back $121. That is it. If you earn $800,000, according to CBO, you get back an average of $22,000.

Mrs. HUTCHISON. How much does the person pay at $30,000, and how much does the person pay at $800,000?

Mrs. BOXER. They pay sales taxes. They pay income taxes. I say to my friend, this bill is so unfair to the average working person that the wealthy people get back twice as much as someone working full time on the minimum wage. I look forward to this debate.

Mrs. HUTCHISON. I look forward to the debate as well. I think it is very important that we give across-the-board tax cuts, and I think everything that we can give back to the people who earn it is something I am going to support.

Mr. ALLARD addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Colorado.

Mr. ALLARD. Mr. President, I thank my colleague from Texas for her remarks, and I also thank the two Senators from Wyoming for their remarks this morning regarding tax cuts.

Our economy has been doing well. It is an unprecedented time of economic growth. Whenever our economy does well, everybody does well. People who are poor do well. You can break it out to any type of economic group you want, but everybody does well because the total tide comes up.

I happen to believe our economy is doing well because we have worked hard in the last decade, decade and a half, to hold down taxes, to reduce the regulatory burden, and to promote good economic growth.

The last effort by the Republicans in the Congress to make sure we continue to have good, strong economic growth in this country was when we dropped the capital gains rate. Nobody is talking about the profound impact that reducing the capital gains rate has had on this country's economic growth. Historically, every time we have dropped capital gains, whether it was during the Kennedy administration or whether it was during the Reagan administration—in some cases, I have seen that happen in my own State of Colorado—revenues to the Federal Government increase.

Today tax revenues to the Federal Government are at a historic high. There is a windfall. There is more money coming into the Federal Government than any of us would have imagined. I think we need to give back some change to the American people. It is their money. They worked hard to earn the money. Consequently, I think they should be the primary recipient of a windfall.

The people of Colorado were blessed because a Republican legislature, with a Republican Governor, returned dollars that came in unexpectedly as revenues to the State of Colorado. They returned it to the taxpayers of Colorado, the people who earn the money, who pay taxes. I happen to think my State of Colorado, under their leadership, has set a great example for the country. I certainly hope this Congress will move forward with a meaningful tax break that will make a difference in people's lives.

We hear a lot of figures thrown around here on the floor. We just heard an example of some of the numbers that had been thrown around this morning and then this afternoon about what is happening to our budget.

We have figures that have come out of OMB. We have figures that have come out of CBO. Let's just take one agency so we are comparing apples with apples and oranges with oranges. I don't think it is fair to pick some of the figures out of OMB and then some of the figures out of CBO and make comparisons. We need to go with one agency.

Let's make a comparison between what the President has done with his plan and the Democrat Party, and what the Republican leadership is pushing for. Let's take the figures from the Congressional Budget Office and see what they look like, comparing the President's budget with what the Republicans are putting together and what they would like to see happen for the future of America.

The President's budget, as reported in the latest report issued by CBO, on July 21, 1999, would leave a public debt of $1.80 trillion in 2009. When you compare that to the Republican proposal, it is over $200 billion higher than the amount left under the congressional budget resolution and the tax cut.

Let's look at the President's budget in terms of the total surplus under CBO's scoring. CBO says the President's budget saves just 67 percent of the total surplus. Now, that compares to a 75-percent saving of the total surplus by the congressional budget resolution and tax cut on the Republican side. President Clinton's budget contains $1 trillion in new spending. I think this issue is really more about spending than about taxes. The President wants to have the money so he can continue to spend more and more. We have heard from the big spenders. They would much rather increase spending than cut taxes. I think we ought to cut taxes instead of increasing spending.

President Clinton's budget, again, contains $1 trillion in new spending. That is 25 percent larger than the Republicans' $792 billion reconciliation tax cut. President Clinton's budget increases taxes by $100 billion over the next 10 years, according to the CBO report, in contrast to the largest middle-class tax cut since Ronald Reagan that is being offered by the Republicans. President Clinton's budget spends the Social Security surplus, the off-budget surplus, for fiscal years 2000, 2004, and 2005 by a total of $29 billion. Now, that is in contrast to the congressional budget resolution and tax cut where the Social Security trust fund is not raided at all in any year.

Even Democrats don't agree necessarily with their own President on his obsessive stand against tax cuts. I can think of one problem to which a Democrat, a friend of mine with whom I serve on the Intelligence Committee, who also happens to be on the Finance Committee, refers. He says: ''To me, cutting taxes when we have $3 trillion more coming in than we forecast in the neighborhood''—he is talking about his $800 billion tax proposal—''is hardly what I call an outrageous, irresponsible move.''

Some of the Members of the Senate on the other side who have been talking this morning are talking about more spending as opposed to wanting to cut taxes. They say they are willing to run on that agenda. I am willing to take our agenda as Republicans and put it up against what the President is proposing in his plan for the American people. This Republican Congress, I

think, has the right message and has the right approach for protecting the future of America.

I think this is great. I am willing to brag about the fact that we protect every cent of Social Security's $1.9 trillion surplus in every year, which adheres to the spending agreement reached with the President in 1997. It also leaves $277 billion to finance emergencies and other priorities, like Medicare and prescription drugs, or simply additional debt reduction, yet still proposes returning $792 billion of the $1 trillion personal income tax overpayment to the taxpayers—I will run on that. I would be glad to run against any Democrat who would come up and say that he supports the President's plan which proposes to increase taxes by $100 billion over the next 10 years, a plan that, despite the largest Federal budget surplus in history, wants to increase taxes, wants $1.1 trillion more spending than a Congress which is adhering to the 1997 budget agreement, which raids Social Security for $30 billion over the next 10 years, which retires over $200 billion less in public debt than the Congress, and which would still not provide a single cent in net tax relief, despite a $1 trillion personal income tax overpayment.

I would be glad to run on that. It amazes me that as we get closer to the election, more and more of the debate gets to be toward cutting taxes. But when we are out from the election, then people criticize Republicans. Other Members in this body, on the other side, criticize Republicans for trying to do the responsible thing and recognize that the windfall that is coming into the Federal Government, the windfall that is coming into the States, actually belongs to the people. They are the ones who worked hard and the ones who earned it.

I want to come down on the side of many of my colleagues on the Republican side who have argued for a tax cut. I think we can do that and pay down the debt. As Senator ENZI mentioned in his comments earlier this morning, we can do both. We can pay down the debt. We can provide for a tax cut, and that is the responsible thing to do. To say that the responsible thing to do is more spending, I believe, is irresponsible.

I want to let it be known that I am strongly in favor of a tax cut, and I am strongly in favor of paying down the debt. I believe we can do both.

I yield the floor.

## ORDER OF PROCEDURE

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I understand the other side had time, which would expire at 12:30, but I don't want to cut into that time.

The PRESIDING OFFICER. The other side has 4 minutes 5 seconds left.

Mr. BAUCUS. Mr. President, if the Senator from Colorado is not going to use that time, I ask unanimous consent to speak for the remaining 4 minutes.

Mr. ALLARD. Mr. President, if he asks unanimous consent to be allowed to speak for 2 minutes, I will be glad to yield that time.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business when the Senate reconvenes at 2:15, for 15 minutes, and that Mr. SESSIONS be allowed to speak for 12 minutes as in morning business immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:27 p.m., recessed until 2:17 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

The PRESIDING OFFICER. The Senator from Montana is recognized.

## THE TAX ''SURPLUS''

Mr. BAUCUS. Mr. President, when the tax reconciliation budget comes before the Senate tomorrow, I plan to offer an amendment which will provide for a lockbox on the Social Security surplus; that is, all the payroll tax surplus that would otherwise go to the Social Security trust fund would be locked into that trust fund. The amendment also provides that one-third of the onbudget surplus be set aside for Medicare.

Why am I doing that? Very simply, Mr. President, because I believe that as we leave this century and this millennium and as we move into the next century and the next millennium, we are faced with a historic opportunity to make decisions that are going to either correctly or incorrectly affect lots of Americans.

What do I mean? Very simply this. A little history first:

About 18 or 19 years ago, after the 1980 elections, this Congress passed a very large tax reduction bill—very large—proposed by the President and passed by this Congress.

What happened as a consequence of that very large tax cut in 1981? I think all commentators will agree—at least a vast majority of commentators will agree—that it caused the deficits in this country to shoot up and the national debt to rise. That tax cut was accompanied by a big increase in defense spending. I am not going to quarrel how much that increase was correct or incorrect. But the agreement is—and by far most people agree—that as a consequence of that action deficits rose dramatically.

If we add up the annual deficits beginning with President George Washington and continuing every year through all the Presidents in American history, up through and including Jimmy Carter, they total about $1 trillion.

In 1988, when Congress passed a tax cut, what happened? The national debt shot up. Why? Because deficits shot up. The national debt in 1980 was about $1 trillion. Twelve years later, the national debt was about $5-, $6- or $7 trillion. It increased $4- or $5 trillion, from $1 trillion to $6- or $7 trillion in that 12-year period—a huge national debt—and we are paying interest on that national debt in the neighborhood of $267- to $280 billion a year. That is what happened.

What did Congress do? It passed two tax increases. The Republican President, Republican Congress, passed two tax increases. There was a significant tax increase in 1982 because the deficits were going out of sight and, in 1984, another tax increase with the Republican President, Republican Congress because the deficits were still going out of sight. That is what happened in the 1980s when Congress was tempted and succumbed to the get-rich-quick siren song with huge tax reductions. That is what happened: instant gratification. However, the future kids and grandkids paid for it in the national debt increase. We passed on the burden and gave it to ourselves, saddling the future with the burden. That is what we did in 1981, pure and simple.

In 1999, what happened? Through a lot of factors, including the Democratic President and the Democratic Congress in 1993, we enacted a large deficit reduction, half tax increases and half spending cuts. Economists agree, as a consequence of that, the national deficit started coming down. The debt starting coming down.

That is not the only reason the debt started coming down. The economy was doing pretty well. Interest rates were down, probably because the market saw the President was going to get a handle on spending and handle on the deficit because the deficits were so high. With increasing technology and globalization, American firms became much more competitive in competing in world markets. The American economy did very well in the last several years as a consequence of all those factors. Incomes have gone up, payroll tax revenues have gone up, and income tax receipts have gone up.

What does that mean today? In 1999, we are projecting a $3 trillion surplus over the next 10 years. Mr. President, $2 trillion of that is payroll tax revenue increases, which we all agree will go to the Social Security trust fund; $2 billion of the $3 billion comes from payroll taxes, and we all agree it will go to the Social Security trust fund. That leaves $1 trillion in the surplus. That $1 trillion is generated by income tax receipts.

The question before the Congress is: What are we going to do with that $1 trillion? That is the question. As we are poised to move into the next millennium, I say we ought to make careful decisions about that. We better not

blow it. We better be careful, be prudent with the taxpayers' money, and do what is right.

What is right? I have two charts. The first chart shows the proposal that will come to the floor tomorrow, passed by the majority party, that will provide for a huge tax cut of $792 billion over 10 years. You have to add back $179 billion in interest over 10 years on the national debt because of the tax cut. That means the debt will go up, with more interest payments to make. What does that leave? That leaves $7 billion less after 10 years. That is all.

Man, oh, man, I could stand here for days and days and talk about the problems with that proposal. Let me mention a few. No. 1, this is only a projection. We have no idea what the surplus will be over the next 10 years. It is just a guess. Most commentators think the economy is overheated now. Maybe there is a bubble economy, and maybe the economy will not do so well over a good part of the next 10 years compared to the last 5 or 6 years.

This is a projection. What do we do with the projection? We are locking in tax cuts for the future, offset by a hope that we will have the revenues to pay for it. That is what we are doing. That is one thing that is wrong with this: A tax cut in place by law, offset by a hope that the money will be there—and it probably won't be there.

Second, I point out that the tax cuts are, in fancy parlance, backloaded. Most go into effect near the end of the 10-year period, meaning in the next 10 years, boy, we will really pay. That is when the deficit will start to increase. I said ''deficit'' increase, not ''surplus.''

The next chart shows that the baby boomers will start to retire about the year 2010, and in 2020 and 2030 most baby boomers will be hitting retirement age. That is when the tax cuts go into effect an even greater amount, meaning we have less money to take care of the baby boomers.

I say the size of this tax cut is much too much. Alan Greenspan does not agree with it. He says now is not the time for a tax cut because he knows it will tend to put upward pressure on interest rates. We all don't want to see an increase in interest rates.

In addition, there is nothing left over for Medicare. Medicare is an extremely important program for Americans. Ask Americans which national programs they think make the most sense, and most, I daresay, think Social Security is one and Medicare probably is another. Before Medicare went into effect, 50 percent of seniors had no health care; 50 percent had no health care benefits or programs when Medicare went into effect. Now virtually every senior has some kind of health care program.

What are the current problems with Medicare? There are several. Let me name three. No. 1, it does not provide for prescription drugs. Senior citizens get drugs when they are in the hospital, but Medicare will not pay for prescription drugs when they are out of the hospital. There is zero payment under Medicare for prescription drugs.

We all know that health care is changing in America. It is changing a little bit more from procedures and a little more toward drugs, DNA benefits, and things of that nature. Drugs have become much more important. That is one problem with Medicare. We have to provide for prescription drugs. Medicare does not now provide for outpatient prescription drugs.

No. 2, this Congress cut back on Medicare payments too much in 1997 with the so-called Balanced Budget Act of 1997. Medicare payments to hospitals increased significantly, I think on average about 10 percent over the 1990s. Now it is negative, it is cut back, because of provisions this Congress enacted a couple of years ago, which were too great, too much. We all hear it from our hospitals back home, whether they are teaching or rural hospitals, that it has been too much. That has to be dealt with. The majority budget does not deal with it, which is another reason for my amendment.

No. 3, Medicare is in trouble, folks. We all talk about Social Security. The Social Security trust fund will not reach zero deficit for 20 or 30 years. The Medicare trust fund will come down to zero, depending upon who is making the estimates, perhaps 12 or 15 years from now, much sooner than the Social Security trust fund.

I say, therefore, we should pay attention to Medicare. The amendment I will offer will provide that one-third of the on-budget surplus, one-third of the $1 trillion, will be dedicated to Medicare.

I know the arguments. We have to have structural reform of Medicare first before we can put more money into Medicare. I think most agree we need both structural reform and additional money for Medicare. When we in the Congress begin to address structural reform in Medicare, my guess is we will probably not have money anyway so it is good to set aside one-third of the on-budget surplus for Medicare.

If we do not need that one-third at the time, we can send it back to the people in tax cuts or we can use it for veterans' care or for education or for whatnot.

In summation—and I thank the Chair for his patience—at the appropriate time, I will be offering an amendment along with Senator CONRAD to provide that one-third of the on-budget surplus be dedicated to Medicare along with the off-budget surplus dedicated to Social Security. I thank the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the time for Senator SESSIONS be reserved for use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VOINOVICH. I also ask unanimous consent that I be recognized for up to 15 minutes as in morning business and that Senator LANDRIEU follow me.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE TRUTH ABOUT BUDGET SURPLUSES

Mr. VOINOVICH. Mr. President, there is an old saying most of us learned as children that goes: If it sounds too good to be true, then it is. The news we have been hearing about bigger than expected budget surpluses for the next 10 to 15 years is precisely that—too good to be true.

Why is that? After all, our economy is strong and is still growing, unemployment is at record lows, and the strength of our economy means our Government is able to take in more revenues from taxpayers and businesses alike. Most people would say things are wonderful. Indeed, just ask anyone. Ask the President. Ask Congress. They will tell you there is money for increased spending, there is money there for tax cuts, and we will be able to meet all our needs. After all, we have these enormous surpluses for as far as the eye can see.

The truth of the matter is, there is no budget surplus. Let me say it again: There is no budget surplus. The truth is, we are actually running a budget deficit this year. According to both CBO and OMB, as this chart from CBO shows, we currently have an on-budget deficit of $4 billion, and the only way the President, or anyone else, can claim a budget surplus today is by taking that surplus and accumulating the Social Security trust funds and using it to mask the deficit, just as we used Social Security to mask the deficit in 1988.

I recall, as Governor of Ohio, everyone celebrating the great budget surplus. The fact of the matter is, in 1988, we were $30 billion in the hole, and what we did with that $30 billion in the hole was mask it with Social Security. For over three decades, Presidents and the Congresses have been using this gimmick: unifying the budget in order to make budget deficits smaller than they really are.

It is disingenuous. It continues to jeopardize the stability of the Social Security trust fund, and it is about time we had our lockbox. The American people are smarter than Washington politicians give them credit. They know their Social Security pension funds are being raided for other Government spending programs. They are mad about it, and they want us to stop doing it.

We need to get honest budget surplus numbers, and in order to do that, we need to leave Social Security alone and pay attention to creating an on-budget surplus.

But here is the President's 15 years of projected surpluses. The whole bar is the unified surplus. The green part is the off-budget Social Security trust fund, and the red part is the true on-

budget surplus. As the President says, there is going to be $6 trillion by the end of fiscal year 2014. But under his projections, he will have an on-budget surplus of $2.868 trillion. The rest of his projection is Social Security.

Look at the line on this chart. It is not until fiscal year 2011—fiscal year 2011—before we even see 50 percent of the projected on-budget surplus. In other words, in order to get this great surplus we are supposed to have during the next 15 years, it is not going to be until 2011 that we are actually going to have 50 percent of the on-budget surplus available to us.

We will have to go into the 12th year of the President's 15-year projections to get a majority of those surplus dollars. How can we in good conscience talk about spending increases or tax cuts today when we do not even start to get the majority of the money until 12 years from now? It is inconceivable. That is the next President—8 years if he gets reelected—and then we are into a new President.

The most frightening aspect of all this is numbers are just predictions. They are not real. But both the Congress and the President are treating their projections as if they are gospel truth, and each is contemplating major fiscal decisions based on their particular beliefs and projections. That is not sound public policy.

In fact, last week, CBO Director Dan Crippen said in testimony before the Senate Budget Committee that ''10-year budget projections are highly uncertain'' and that ''economic forecasting is an art that no one has truly mastered.'' That is from the Director of the Congressional Budget Office, the man in charge of making Congress' surplus projections.

Indeed, as most economists will tell you, the only thing predictable about projections is their unpredictability. So how can we be sure that 5, 10, 15 years from now we will actually have these budget surpluses? The truth is that we cannot.

In testimony before the House Banking Committee, Federal Reserve Chairman Alan Greenspan said:

> . . . it's very difficult to project with any degree of conviction when you get out beyond 12, 18 months.

Twelve to 18 months—not 5 years, 10 years, 15 years. He said 12 to 18 months.

In addition, he stated that

> . . . projecting five or ten years out is very precarious activity, as I think we have demonstrated time and time again.

When the Nation's premier economist warns Congress not to invest in long-range projections, it makes sense for us to listen.

If we think back, we will remember it was only 2 years ago that CBO was projecting huge increased budget deficits as far as the eye could see. In fact, in 1997, CBO projected a $267 billion budget deficit for fiscal year 2000. Think of it. But today, CBO is projecting a $14 billion surplus for fiscal year 2000—a $281 billion swing in just 2 years.

If you think a 2-year swing of that magnitude is incredible, in just the last 6 months, President Clinton's budget projections put together by OMB have swung by a mind-boggling $1 trillion—a trillion dollars. That is more than 10 percent of our national gross domestic product.

The important thing to remember is that a $1 trillion paper surplus can vanish just as easily as it appeared, and if we commit to spending hundreds of billions of dollars we do not even have yet, we are placing our Nation's economic future in serious jeopardy.

As former Senators Sam Nunn and Warren Rudman wrote in the Washington Post:

> The surplus is only a projection that cannot be spent. If spending is increased or taxes are cut based on the expectation of huge surpluses and the projection turns out to be wrong, deficits easily could reappear where surpluses are now forecast.

Given all that uncertainty about whether or not we will have a budget surplus next year, it makes the most sense for us to remain cautious. We should wait and see if the budget surplus we are currently projecting for fiscal year 2000 even materializes before we embark on new spending programs, as the President and the Democrats in Congress want to do, or cut taxes as Republicans are proposing.

As Chairman Greenspan said:

> I see no reason why we have to make decisions crucially at this point until we are sure that we really have got the surplus in tow.

That is Alan Greenspan who has been keeping things in pretty good shape for us the last several years.

Why does the President feel the need to quickly spend the surplus we may achieve over the next 15 years? Why are we talking about cutting taxes by $800 billion over 10 years when we do not have the surplus in hand yet? I think eliminating the death tax, relieving the marriage penalty, and lowering income-tax rates are great ideas, but how are we going to pay for them?

Personally, I do not think we have any business talking about new spending increases or tax cuts so long as we have this gigantic national debt. Right now, our Nation faces a whopping $5.6 trillion national debt, a debt that has risen 600 percent over the last 20 years.

I remind my colleagues, with each passing day, we are spending $600 million a day just on interest on the national debt—$600 million a day.

Most Americans do not realize that 14 percent of their tax dollar goes to pay off the interest on the debt, 15 percent goes for national defense, 17 percent goes for nondefense discretionary spending, and 54 percent goes for entitlement spending.

Look at this pie chart: entitlements, 54 percent; interest on the debt, 14 percent out of every dollar. We are only spending 15 percent on national defense—and the President knows we need to do better in that regard—and nondefense discretionary spending, 17 percent.

We are spending more on interest payments today than we spend on Medicare. We are spending five times as much on interest than we spend on education; 15 times as much as we spend on research at the National Institutes of Health.

Even if the on-budget surpluses do happen to come true, then what better way to keep our economy humming and secure for the future of our children and our grandchildren than by paying down the national debt.

Indeed, as Federal Reserve Chairman Greenspan testified before the House Ways and Means Committee:

> [T]he advantages that I perceive that would accrue to this economy from a significant decline in the outstanding debt to the public and its virtuous cycle on the total budget process is a value which I think far exceeds anything else we could do with the money.

I think we have a problem. Do you really think that Congress would make the tough choices we are going to need to make to get rid of $27 billion this year in order to maintain the budget caps? I do not think it is going to happen. I think many people today are saying that for defense spending, to deal with Medicare, we are probably going to have to break the caps.

If we break the caps, the $14 billion surplus of next year is gone; it is gone. We need to recognize there is no surplus. And if the economic circumstances provide an on-budget surplus—and, boy, we would love to have that—we need to use that money to pay down the debt: no spending hikes, no tax cuts, just pay down the debt.

If the President and Congress need an example, all we have to do is emulate what most American families do when times are good and they have extra money. They do not go out and start spending wildly. They look to pay off their debts—credit cards, loans, and mortgages. It is the responsible thing to do, and it is something that Government must do.

It was interesting. I was at a meeting the other day and asked the people at the table: What do you think about reducing taxes, with this projected surplus? And they came back to me—conservative businessmen—and said: You know, usually you reduce taxes when the economy is in trouble.

One of the gentlemen said: You know, today what people are concerned about is Social Security, and they are concerned about Medicare.

It doesn't make any difference whether they are old or young. If they are young, they are worrying about their parents in the future.

At this stage in the game, it seems to me the best thing we can do is cool it. I urge my colleagues to stop and look at the projected numbers because they are not real. And if we continue to treat them as if they really are, the consequences of spending money we do not have will be very real and, I think, very bad for the United States of America.

Mr. DURBIN. Will the Senator yield for a question?

Mr. VOINOVICH. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. Two and one-half minutes remain.

Mr. VOINOVICH. I would prefer not to yield because I promised the Senator from Louisiana that she would have time. So I would rather not yield at this time.

I yield to the Senator from Louisiana.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. It is my understanding that the Senator from Louisiana is going to be recognized for 10 minutes. I would like to ask, how much time remains on the Democratic side under this morning business segment?

The PRESIDING OFFICER. The time is not allocated to the parties. It was allocated to the individual Senators who requested the time. The Senator from Ohio has been using some of the time from the Senator from Alabama.

Ms. LANDRIEU. I thank the Senator from Ohio for recognizing that I want to speak for 10 minutes. I would be happy to yield several minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Let me say at the outset to my friend, the Senator from Ohio, what a breath of fresh air he is. I commend him. I believe his statement is as forthright as any given on the floor concerning the state of the economy, whether we have a real surplus or we do not, and what is the prudent thing to do. Because what the Senator from Ohio learns when he goes home is the same thing I have learned as a Democratic Senator going home to Illinois: People do not have this passion for tax cuts or brand new spending programs.

The first thing they say to me is: What are you going to do to get rid of this national debt, this debt that started off at $1 trillion at the end of President Carter's administration and is now over $5 trillion? I say to the Senator from Ohio, it is my understanding that that debt costs us, as taxpayers, $1 billion a day. They net it out, because we earn interest as taxpayers, and state it is only $600 million. But the debt itself costs us about $350 billion a year.

The businesspeople and families I speak to in Illinois have the same response that the Senator from Ohio has spoken to on the floor: What are you going to do to get rid of this debt so our children are not burdened with these interest payments? We are really trying to square away the books from the last 20 years.

What the Senator from Ohio said on the floor, I think, is a very wise course of action. That should be our highest priority: reducing the debt and keeping our obligations to Social Security and Medicare.

I do not want to put words in the mouth of the Senator from Ohio, but my fear is those who anticipate surpluses that may not materialize could put us on a bad track. We could be headed back toward deficits, toward red ink, and toward an economy we do not want to see.

The same business people I speak to say, there may come a time, if we have a recession, when a tax cut is the right medicine because it would give the American families more money to spend and bring us out of a recession. But certainly we are not in those days now.

We have a strong economy, a vibrant economy; and, if anything, the fear is it may overheat with too much demand. If that happens, the Federal Reserve Board steps in and raises interest rates, which penalizes every family with an adjustable mortgage and business people who are trying to keep and expand their business.

The Senator from Ohio has really laid the basis for a sensible bipartisan approach. I hope we can work together, as we have in the past. I have admired his independence and the fact that he has been very forthright in his views. I listened carefully to what he said during the course of his statement. I think it really provides a common ground for a bipartisan approach that really is good for the economy and good for future generations.

As I see the Senator from Louisiana is prepared to speak, I yield back the remainder of my time.

Ms. LANDRIEU addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I commend the Senator from Ohio for his remarks about the importance of our Social Security surplus and preserving it so we can invest and strengthen something the American people and the American families have come to rely on and to appreciate. It is actually something that sets us apart from many nations in the world, that we actually have a safety net that works for older Americans—to honor the fact that they have worked hard through their lives, sometimes at minimum wage jobs, for 30 and 40 and 50 years.

We say, as Americans, if you are president of a corporation or if you are an owner of a small business, or even if you are a minimum wage laborer, we want to have a retirement system that keeps you out of poverty when you are simply at an age where you cannot work and increase your income.

So it is important to us. It is a value. It is something more than just a program. It is something more than just a Government program or an initiative. It is a value of America. I think both sides of the aisle recognize that.

Although there are some differences in the way we would approach the specific lockbox notion, we have made great strides in recognizing that $2 trillion of this $3 trillion surplus needs to be set aside for Social Security. It is important for our Nation. Most certainly, it is important to people from Louisiana. I commend him and also commend the Senator from Illinois for underlining some of those points.

## TAX CUTS

Ms. LANDRIEU. I come to the floor today to talk about another particular aspect of fiscal responsibility that is so important. We are in the middle of one of the most important debates of this Congress that may have repercussions for the next generation or two, an opportunity that we haven't really had since 1981 when there was a huge tax cut, and, many of us think, an irresponsible tax cut given at that time that drove our deficits tremendously upward and raised the debt of this Nation.

We are now in the process of debating what to do with our great fortune, a real surplus in non-Social Security revenues. We know what we want to do with the Social Security surplus, and that is to set it aside to strengthen this program because it is a value that Americans share. What do we do with the non-Social Security surplus?

I am one of the Members on this side who hope we can find some measure of tax relief for hard-working, middle-income, low-income Americans, to do it in a way that helps to close the gap in this country between the haves and the have-nots, that helps our children in the next generation to become part of this new economy. I hope we can fashion some smaller, responsible, well-thought-through, and careful tax relief for low-income and middle-income families that will help them, their children, and their grandchildren to participate in perhaps the greatest economic boom to ever happen in the history of the world, not just in this Nation, not just in this democracy, not just in this century, but an economic prosperity that is unprecedented in the history of many nations.

What we want to do if we are going to have a tax cut—and I certainly support one that is responsible and along responsible fiscal lines—is to craft it in such a way that it helps to give our children and our grandchildren the opportunity to participate by improving their skills, by improving their opportunity to create their own businesses, by creating perhaps opportunities for them to participate in this new economy.

One of the things that is very important to our generation and to the generations to come is reflected in a new poll that was just released this week by Frank Luntz, commissioned by the Nature Conservancy, about fiscal responsibility. It is also about the Department of Interior, the appropriations bill we are going to be discussing for that Department also this week.

One of the important issues is how we might reallocate surpluses in our continued quest for fiscal responsibility in this Nation, how to direct

some of the revenues coming into the Federal Treasury. A great source of revenue that has been coming into the Federal Treasury over the last 50 years at about $4 billion a year—sometimes more, sometimes less—for a total of $120 billion since 1955 has been money from offshore oil and gas revenues. That money, from the Outer Continental Shelf of the United States, primarily off the shores of Louisiana, contributed to a great deal by Mississippi, Texas, and Alaska, the producing States, has gone in the Federal Treasury and has been used basically for general operating funds.

I and many of my colleagues on this and the other side of the aisle, a bipartisan coalition, think now is the time, as we debate what to do with these surpluses, as we debate how to reallocate some of these revenues, as we debate what are the proper investments to make in the next century regarding tax reductions and investments in education, to talk about making a strong, permanent commitment to our environment.

As the poll results I am going to submit for the RECORD this afternoon indicate, by a wide majority, Republicans and Democrats, young and old, people who live on the east coast and the west coast, people who live in the flat plains and in the mountains overwhelmingly support a real trust fund and a real commitment to preserve parks, recreation areas, open spaces, and wildlife in this Nation.

That is what one of the bills, S. 25, which has been moving through this process both in the House and the Senate, will do. It would make permanent a source of funding from Outer Continental Shelf revenues within the framework of a balanced budget, in a very fiscally conservative way, by using these revenues that are coming from a nonrenewable resource.

One day these oil and gas wells are going to dry up. I spent my time and energy trying to take some of these tax dollars that are already being paid to invest in something that will last for generations to come, something the American people want to pay for, something the American people believe in; that is, creating open spaces for parks and recreation.

I will submit this polling information for the RECORD. I rise to speak for a few minutes about the importance of fiscal responsibility, about a tax cut that could be meaningful, if it is done correctly, and about the potential of using some of these dollars—not raise dollars but redirect some of our dollars into a program that is so important to the American people—full funding for land and water conservation, funding for needs of coastal cities and coastal communities, and also wildlife conservation programs throughout the Nation.

I thank the Chair and yield back the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I ask unanimous consent to address the Senate as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TORRICELLI. I thank the Chair.

## ALLOCATION OF RESOURCES

Mr. TORRICELLI. Mr. President, by any measure, this is an extraordinary time in the life of our country. It appears that as the American century comes to a conclusion, the chances are good that what the world is going to witness is simply another American century, where our dominance may be exercised by different technologies, our power may be measured by different means, but our dominance is just as certain.

The quality of life in America is rising to new heights. Our economic strength could be measured by many means, but it is considerable. Home ownership is now at the highest rate in the Nation's history. In 6 years the United States has created 18 million new jobs, more than all of Western Europe and Japan combined. Unemployment is near record lows in the postwar period—genuinely an extraordinary time. Nothing surprises Americans more than that we are witnessing not simply the growth of an economy, employment and economic opportunities, but the Federal Government itself is participating in this extraordinary transformation.

The United States is about to accumulate in our Government budget not only the largest surplus in American history but the largest surplus in the history of any nation in any government budget. Indeed, it is now projected to be $1 trillion larger than was anticipated only several years ago. By the year 2009, the total accumulated surplus of the U.S. Government could be an astonishing $2.9 trillion.

The fundamental question now before this Government as we begin to plan for the next decade, the beginning of a new century, is how to allocate these resources.

The U.S. Government is in a new experience. For more than 50 years we have been in the business of allocating pain. The dominating issues before the U.S. Government were winning the cold war and overcoming the budget deficit. All decisions were seen through these twin prisms. Many of our hopes and ambitions for our country and our people needed to be postponed.

In 1993, the Deficit Reduction Act was a defining moment in that struggle. This Congress, with the Clinton administration's leadership, was facing deficits as high as $300 or $400 billion per year. It was artificially raising interest rates, causing problems with private investment, and difficulties in economic growth.

The extraordinary vote of that year, passing each institution of the Congress by a single vote, did as much to change American economic history as any single act of the 20th century.

(Mr. CRAPO assumed the Chair.)

Mr. TORRICELLI. For all of us who participated in the 1993 Deficit Reduction Act, it is probably the singular achievement and the greatest source of pride in our careers. For the American people, it is more than a source of pride; it is a source of new freedom. These surpluses allow us to dream again about rebuilding schools, providing child care, improving the quality of instruction, repairing American infrastructure, funding higher education. Things that were postponed by all these years of debt, struggle, and sacrifice have been made possible again.

But it is important to remember in this transformation, in these last 6 years, there are other heroes, too, more important than the Members of Congress who cast these votes—the people who gave up more and did more to create this new American prosperity. They are simple American families who did without Government programs, Government employees who saw Federal employment decline, people who suffered at declines in Government spending in all measures, and American taxpayers who paid more in Federal taxes to reduce the debt.

It is important to remember because, as we think about the opportunities for education and health care and other Government programs this Federal surplus provides, so, too, is the American taxpayer to be remembered. I do not quarrel with the administration—indeed, I support their notion—that the first obligation in committing these new surplus funds is to protect Medicare and Social Security. It is our first obligation. It is not our only obligation.

Of the approximately $3 trillion of Federal surpluses to be allocated in the next 10 years, $2 billion of it will be required to ensure that Social Security and Medicare are protected. But certainly, with the remaining $1 trillion in accumulated surpluses over the next decade, there is the ability in this Congress to provide some tax relief for working American families. The tax burden of the United States is now the highest since the Second World War.

Middle-class families, who were once in low-income brackets, through prosperity and inflation, have seen themselves, while still facing the enormous costs of education and housing and the requirements of an ordinary American life, facing tax brackets of 28 and 33 percent. Today, a family of four, living on a combined income of $72,000, which can be the simple income of a schoolteacher or a police officer or a public servant, is taxed at 28 percent, instead of the 15 percent which should, and once did, represent the Federal tax rate of middle-class Americans.

It is wrong—it is even unconscionable—to ask a young mother and father trying to raise children, with the high

cost of living in the United States, to postpone educational decisions or housing decisions, the requirements of building a family, to pay a 28-percent tax on a combined family income of $50,000, $60,000 or $70,000. It is not right. But mostly, with a Federal surplus of $1 trillion in the next decade, after protecting Social Security and Medicare, it is not necessary.

I believe the first obligation of a Federal tax relief is to expand the 15-percent bracket to genuinely include Americans who are in the middle class, to place them in the tax bracket where they belong. The Roth plan participates in this strategy by expanding the bracket and by lowering the 15-percent bracket to 14 percent. It is a good beginning, but it is not a complete plan.

The other twin tax crisis in America is not high rates but disincentives for savings which are causing a crisis in savings in America. The national savings rate in the United States is now the lowest since the Second World War. In May, our national savings rate was a minus 1.2 percent—a negative rate of savings not seen since the Great Depression. It has no corollary in the Western World, and it is a long-term, economic, Governmental and social problem.

Sixty percent of all Americans who retire rely solely on Social Security. More than 50 percent of Americans effectively have no net worth of any appreciable value, other than their home. It is a rational economic response to a tax system that provides discouragement for savings and encouragement for consumption.

I believe this tax reduction legislation about to be considered by the Congress can provide a new beginning, first, by expanding the traditional IRA from $2,000 to $3,000. It is notable that when the IRAs were first instituted at $2,000, had they merely kept pace with inflation all these years, it would now allow for a $5,000 deduction rather than the continuing $2,000 level.

Second, people who accumulate $10,000 in a savings account in America to provide themselves some security from the crisis of life, or for their retirements or to prepare for their children's futures, should not be taxed. The Federal Government has no business—indeed, it should have a disincentive—to ever tax an American family who wants to save a modest $5,000 or $10,000. We have an interest in them doing so and should not be providing a disincentive by taxing them on the modest interest they would accumulate. This simple provision of $10,000 in tax-free savings, exempting the first $500 in dividends and interest, would make the savings of 30 million Americans tax-free.

Third, every American should be encouraged to participate in the new prosperity, burgeoning industries, new technologies, and growing market. The Federal Government should not be taxing the modest capital gains of people who earn $1,000, $2,000, or a few thousand dollars in the stock market, or from the sale of real estate. We should be encouraging every American to participate by investing, to gather some wealth for their own security, so that in retirement they don't rely solely on the Government, or continue to live paycheck-to-paycheck. Even if this accumulates only modest amounts of money in savings or investment, it is a beginning for a new economic freedom for American families.

Many of these ideas were included in the tax reduction legislation I offered with Senator COVERDELL. I am enormously proud that in Senator ROTH's proposal, and indeed now in a bipartisan tax bill being discussed by Senator BREAUX and Senator KERREY of Nebraska, many of these same elements are included. I am glad Senator COVERDELL and I have made that contribution.

But now the question becomes not simply which elements of Federal taxes are to be reduced but by how much. Therein lies the argument. I believe, as many of my colleagues on both sides of the aisle have come to believe, that this Congress can responsibly afford, while protecting Social Security and Medicare, to enact a $500 billion tax reduction program over the course of the next decade. That would allow an additional $500 billion for discretionary spending, a prescription drug benefit, or other national needs beyond protecting Social Security and Medicare. It is modest. But it would have an appreciable impact on the quality of life of American families, and genuinely give tax relief to middle-income Americans.

Finally, every Senator must come to the judgment about not only the size of this tax relief program, which I believe should be $500 billion but, indeed, where it should be targeted. It is middle-income families who have seen the rates of their taxes rise through the years as they were pushed into higher brackets by the cost of living and our national prosperity. They should be our first priority.

Our principal national economic problem, even in extraordinarily good times, is the collapse of national savings. Reduction in taxes on savings should be a high priority.

But I believe, as many Democrats and Republicans have come to conclude, that most of this tax reduction program should be for people who are paying most of the taxes in America.

In the 1993 bill, this Congress can be very proud that with the earned-income tax credit we reduced the burden and, indeed, gave assistance to lower income Americans. They deserved and needed the help. This tax program should be for people who are paying taxes, bearing the burden, and need the help.

This is an important moment for this Congress. This vote on a tax reduction program will say a lot about our priorities. We will chart a course for another decade.

I believe we can reach across this aisle and find a reasonable compromise that gives genuine tax relief.

I want the people of the State of New Jersey to know that I have committed myself to be part of that effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, is the Senator from West Virginia allowed to yield himself a certain amount of time?

The PRESIDING OFFICER. The Senator may seek by unanimous consent for as long as he wishes.

Mr. ROCKEFELLER. I thank the Presiding Officer.

Mr. President, I ask unanimous consent to proceed for less than 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. I appreciate the courtesy of the Presiding Officer.

## PROJECTED SURPLUS

Mr. ROCKEFELLER. Mr. President, I am very anxious to talk to my colleagues. I want to do it as much as I can in these days to come.

As the previous speaker said, with whom I do not agree on policy, this is a momentous, once-in-a-lifetime opportunity.

I have been here for 15 years. I was for 8 years before Governor of West Virginia where we faced things such as 21-percent unemployment, and things which are almost Third World in their statistical significance compared to what most of my colleagues had to deal with.

Being able to look at a tax surplus or a projected surplus of a lot of money over the next number of years is a wonderful opportunity for the people of my State and for the people of my country.

I have to say, though, the approach of the Finance Committee, on which I serve, voting a $792 billion tax cut is antithetical, to my thoughts, as to what is good for the country and good for the economy.

I will start off by simply saying the obvious; that is, as one of the senior Members of the majority side of the Finance Committee said, 5 percent of Americans pay 95 percent of personal income taxes, and therefore the money ought to go back to them. That is an odd way of thinking. That is certainly one way of thinking. It is obviously that Senator's way of thinking. It doesn't square with sort of the sense of fairness, equity, and distribution of equal opportunity in an economic sense as in other senses that I was brought up to believe in.

We have projected—and I underscore the word ''projected''—a surplus of $1 trillion over the next 10 years. The central question is: How do we most responsibly spend this? I think it is a central question of historic importance.

For me there is really only one answer; that is, to pay down the national debt.

It is very hard for me to put into words the feeling of how far we have come since the mid-1980s when we used to have those talks with the Japanese, the structural impediment talks in which they would tell us what they thought we should do and we would tell them what we thought they should do and we never listened to each other. We, in fact, listened to them in 1993, and on our own, in a historic vote, made an enormous beginning, later fueled by the private sector, to balance the budget deficit. I didn't think that would happen when I was in the Senate. But we proceeded to take the action.

I myself was assigned the responsibility of cutting $60 billion out of Medicare, which at that time was a great deal of money, and we proceeded to do that. But never in my wildest dreams did I ever even begin to think of the possibility that we might, in fact, be able to pay down the national debt—the national debt which under the Reagan-Bush administration rose to over $4 trillion. I can't contemplate amounts of that sort. So I couldn't possibly contemplate the results of eliminating amounts of that sort.

But we have a chance to do that. We have the chance to do it by the year 2014 and 2015.

People talk a lot about taxes around here. To me, the greatest tax will come if we pass the Republican tax package, if we ''give'' the so-called ''middle-income worker'' that kind of tax advantage because I think it is false. In my State, where the average income is around $30,500, I think the average mainstream worker would end up losing $500 or $600 a year because interest rates would go up on car payments, on home loans, on education loans, on credit cards, and all of those things. Interest rates would go up because we know from what Greenspan said they would. They would probably go up by about 1 percent.

I think the average people in the State whom I represent would end up paying much more under the Republican tax cut plan than they would if we opted to retire the debt because in that case, I think interest payments would go down, and those same people—having watched in wonderment what is or is not going on in Washington—would benefit from the results of two things: Not only lower interest rates, which would affect them up to where they are fixed, but they would also benefit from an economy.

I try to contemplate this in my mind. Come the year 2010 or 2011 when the world really begins to understand that America is dead tracked on the idea of elimination of the national debt, what would happen to the national economy?

My mind can't even bring that into consideration, except it is filled with scenes of incredible entrepreneurial activities by people who are willing to take risks, people who emerge from the hollows of West Virginia, from the deserts of Nevada, from all kinds of high plains of the Northwest, or the northern middle west, and start doing all kinds of things which they have never dared do before base interest rates were there to do it, where money is available, capital is available, and there is a sense of optimism in America, and what I have seen in the last 8 years becomes almost a memory in terms of the optimism and the incredible success and energy of that kind of new economy.

To me, paying off the national debt does two things:

One, it guarantees the economic future of the people whom I represent, who elect me to represent them; and it guarantees the economic future of the entire country for perhaps a generation or two to come because we will have done something impossible—eliminate the budget deficit, and then eliminate the national debt.

How would the markets respond to that? How would human nature respond to that? I only glory to contemplate what that might mean.

Second, I want to pay down the national debt because I don't want to spend money. I don't want to spend money on a whole lot of new things. I want to make sure that something called Social Security—the money for that—and something called Medicare—the money for that—is there in the meantime, until those programs run out of money in a number of years, as all of that money will be going into those trust funds, building up and guaranteeing the future of Medicare and Social Security. That is a matter not of the energy of the American economy but the depth of the American commitment, the social contract that we made both with respect to Social Security and Medicare, both of which are going to need our attention and which need more funds. They would have the funds under a system wherein one concentrated on paying down the national debt.

In the Finance Committee, I originally was for a tax cut of only $250 billion. I am for that today. That was a different tax cut from anything we are considering. I worry very much about Americans not saving. I like the idea of Government matching any American who put a certain amount of money into a savings account; in other words, to encourage something which we do worse than any other people in the world, and that is to save money, putting money in the bank—not only for one's own future but for the capital markets.

I want to see that. I want to see the marriage penalty tax eliminated so it does not become more expensive to get married, it becomes less expensive to get married. If we put up a bill that had no tax cut at all, I would be tempted. I don't know, in the final analysis, if I would vote for it, but I would be tempted.

I believe in paying off the national debt. I think the consequences of that are enormously exciting. Not contemplating the numerical ''joust'' we play with each other over millions and trillions of dollars, the simple fact is that by the year 2014 or 2015 there would be virtually no national debt remaining—less than 1 percent. That is the single most exciting public policy event I can contemplate since I have served in the Senate. My fear is that Congress is going to figure this out but that Congress is going to figure it out too late, after it has already done the damage.

I regret our failure so far to seize this once-in-a-lifetime opportunity to pay off the national debt. I regret it for my State. My State is the oldest State, so to speak, in terms of population. It has actually surpassed Florida. That would naturally bias me in terms of Social Security and Medicare. If I were from another State, I would feel the same way, I believe.

Social Security has lifted two-thirds of Americans out of poverty. Does one turn one's back on this? People voted for the $792 billion tax cut. But $2 trillion of the surplus already belongs to Social Security. That is not on the table. Of the $1 trillion remaining, that can only happen if we do draconian domestic cuts. I don't mean adding new programs. I mean taking tremendous numbers of billions of dollars in every single area for years and years and taking away from what we are already doing.

I care passionately about veterans' health care as I have watched the veterans' health care system deteriorate in a variety of ways across this country. We are not talking about increasing veterans' health care costs. We are talking about tremendous cuts in those we already have.

Many Members have discussed the fact that a young mind is formed by the time it is 3 years old, the importance of Head Start, the importance of the Older Americans Act, the importance of low-income-housing heating, housing, enterprise zones, law enforcement, the military. All of these receive enormous budget reductions that would sustain themselves over a number of years. Over half a trillion cut from present spending in fiscal year 1999; the same on through fiscal year 2002 and beyond that. CBO doesn't even choose to figure what happens after 5 years. They say they have never done it before so why should they do it now. I think that is an amazing way of thinking. That is what they say.

If we spend $792 billion on a bunch of tax breaks now before we even know that the money is for real and that it will absolutely be there, I cannot in conscience, for the people I represent, believe that Medicare and Social Security will be anything under the great strain of reducing benefits. I cannot bear to have that happen. I don't think anybody should tell you otherwise.

I understand it is very easy to talk about a $792 billion tax cut. It is wonderful to sit in the Finance Committee and have people say we ought to do

this or that about ethanol and this or that regarding helping different people, different groups. Sometimes people voting for the bill got all kinds of things implanted in the bill. That was nice. I am sure they were good things.

How does that compare to the real possibility of setting America virtually free economically, establishing our economic dominance for all time by retiring the national debt? Think how the markets would respond to that. Think how capital overseas would flow into our markets, further enabling us to go out and build an even stronger America, close the digital divide, to give everybody an equal opportunity—not guaranteeing that everybody succeeds but guaranteeing everybody has at least a chance to succeed.

I cannot allow NIH, Head Start, or education programs to take the tremendous reductions from their current level of funding by the Federal Government that would be required under the Republican tax cut. It is phenomenal to me that people have not focused on this consequence of that $792 billion tax cut, a tax cut basically for the rich who already have it, who have already gained by the system, who have already gained through the last 8 years by the stock market increase.

What about the people who are working hard and who would receive a $188 tax increase compared to a $700 or $800 tax increase for people who are very wealthy? I ask my colleagues to think about fairness. I ask my colleagues to think about the consequences of a $792 billion tax cut, and I ask my colleagues above all and finally to think about the absolutely extraordinary power of what would happen in this country if we actually reduced the national deficit to virtually zero—deficit and then debt. We can do both. Therefore, we shouldn't do the Republican tax cut.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TAXES

Mr. DURBIN. Mr. President, I commend the Senator from West Virginia. His has been a lonely struggle on the Senate Finance Committee in the minority. I know what he has said today on the Senate floor is an expression of his personal commitment and philosophy in the Senate Finance Committee.

It is such an alluring possibility for politicians to vote for tax cuts. Can you think of two more exciting words for politicians to say other than: I'm going to cut your taxes—tax cuts? Yet we know it may not be the most responsible thing to do on behalf of families across America and the state of our economy.

What the Senator from West Virginia has said during the course of his remarks bears repeating. Look to the question of fairness. We have heard statements on the floor from Members of the Senate who have suggested that taxes have gone up on American families.

It is interesting that when looking at facts we find something different. A median-income family of four currently pays less Federal taxes as a percentage of its income than at any time in the last 20 years.

This data comes from the Treasury Department and the Congressional Budget Office. Lower-income families at one-half the median income level face a Federal tax burden which is the lowest in 31 years, according to the Treasury Department. A family of four can make up to as much as $28,000 a year without paying Federal income taxes. For a family of four at twice median income, that would put them in the middle-income category. The average Federal tax rate will be its lowest in over a decade.

That is not to suggest families do not face a tax burden. They do. Many still pay the payroll taxes, some Federal income taxes, and State and local taxes.

The general increase in revenue to the Federal Treasury really is evidence of a strong economy where people are working, making more money, and perhaps doing better in the stock market than they had in previous years.

When we talk about tax fairness, many of us believe if there is to be any tax cut, it should be directed to the people in the lower- and middle-income groups. Those are the first who should be served.

This chart illustrates what I mentioned earlier.

Mr. ROCKEFELLER. Will the Senator yield?

Mr. DURBIN. I will be happy to yield.

Mr. ROCKEFELLER. I have one quick point. People say we ought to have a tax cut and we ought to give it back to the people who earned it. In other words, it is not the Government's money; it is their money.

I think one thing is interesting: How much is it their money as opposed to their children's money and their children's children's money. In other words, when we talk about protecting money for future programs, such as Social Security and Medicare, we are not just talking about those who pay taxes, whether they be rich or poor, but whether or not their children and their children's children are going to have a reasonable shot at life. It is not just that we do not have money because we are living now and others are not, but we have to keep looking toward the future and our responsibility to that future; is that not right?

Mr. DURBIN. The Senator from West Virginia hits the nail on the head. If we were to abandon our commitment to education, for example, in the country, it would be the most shortsighted thing in the world. It may reduce Government spending; yes, it may reduce taxation; but does anyone believe America would be a better country for it? I certainly do not.

When we say to families we can give them a tax break this year, a tax cut this year or we can take the money and reduce the national debt, and by reducing that debt say to their children and their grandchildren, you are going to have less to pay in taxes for interest on the debt we accumulated in our lifetime, that to me is the most popular thing I have found as I have gone around the State of Illinois.

People are saying: Senator, before you start talking about new programs or massive tax breaks primarily for wealthy people, shouldn't you accept your responsibility to bring down this national debt that is over $5 trillion, a national debt that costs us $1 billion a day in interest payments that are paid primarily to foreigners who hold the national debt of the United States in Treasury securities and the like?

That to me is eminently sensible because when that debt comes down, we reduce the need for $1 billion a day in taxes being collected across America for interest and we reduce the Federal demand for money. When the Federal demand for money goes down, the cost of money—that is, the interest rate—comes down. Families benefit twofold: There is less of a burden when it comes to taxes for interest and paying off the national debt and lower interest rates, which means homes are more affordable and small businesses and farmers can at a lower cost borrow money necessary for their businesses. That to me is a sensible approach. In fact, let me go out on a limb and say it is a conservative approach.

The Democratic plan we are putting forward is the fiscally conservative approach to deal with the national debt. I am heartened by the earlier statement of the Republican Senator from Ohio when he agreed with us. He believes, as I do and as Chairman Alan Greenspan of the Federal Reserve Board has said, that our first priority should be the elimination of that debt and keeping our commitment to Social Security and Medicare.

Do not be misled as you hear some of my colleagues say we have $3 trillion in surplus and we ought to be able to at least give a third of it back to the American people. They do not tell you the whole story. Almost $2 trillion, $1.9 trillion of the $3 trillion, is really money that we virtually all agree should be dedicated to Social Security. We do not want to raid the Social Security trust fund. People have that money taken out of their payroll for the purpose of making certain Social Security is there in the future. Those who are counting that as some sort of surplus really are not dealing fairly with the most important social program in America. So take off the table of this $3 trillion surplus $1.9 trillion, leaving you a little over a trillion dollars.

Of that amount, how much are we going to dedicate for some very important things—paying down the debt or

Medicare? The Medicare system, if we do not touch it, by the year 2015, is going to be out of money. We have to decide whether or not we will dedicate a portion of our surplus to Medicare. Do we need to do more for Medicare? Of course, we do. Beyond giving money to retire the debt and Medicare, we have to make some structural changes that may be painful, but they will be ever so much more painful if we do not dedicate a portion of our surplus to Medicare.

Also, we have to look to the basic needs of Government. The Senator from West Virginia has made this point. Every American expects the Federal Government to meet certain responsibilities:

National defense, of course; transportation.

We know what the Interstate Highway System has brought to America and the demands for a more modern transportation system in every State—better highways, mass transit.

Fighting crime: The Federal Government played an important role with 100,000 new cops, and we will continue that.

The whole question of what we are going to do in the area of medical research.

I commend my colleague, the Senator from West Virginia. It is an area near and dear to the hearts of everyone with whom I have spoken that the Federal Government press forward looking for cures for asthma, diabetes, cancer, heart disease, AIDS, and the many things that challenge us and our families.

We expect that Federal commitment and other regulatory responsibilities. When we open that medicine cabinet, we hope, the Food and Drug Administration has done its job, that every prescription drug there is safe and effective and that they have money to do it. The food we eat is still the safest in the world and will continue to be.

If we go down the track that is proposed by the Republicans in their trillion-dollar tax cut, we literally will imperil these programs. It is a fact of life. It will be Pollyanna-ish to suggest we can make a cut of $180 billion a year, as the Republicans have proposed, without having some impact on veterans programs, on Head Start, on transportation, and medical research. That becomes a major part of this discussion.

Let's take a look for a moment, if you will, at what some of the economists have said about the Republican tax bill. Fifty economists, including six Nobel laureates, have said:

> An ever-growing tax cut would drain Government resources just when the aging of the population starts to put substantial stress on Social Security and Medicare.

That, of course, means as we have more and more people reaching retirement age and wanting to live their lives comfortably and independently, Social Security and Medicare absolutely have to be there.

The Republican approach to this, sad to report, not only does not protect the Social Security trust fund; if you will look at this chart, when it gets into the red ink, it means the Republican tax break plan has finally broken through and started using money from the Social Security trust fund. At the year 2005, the Republican tax breaks would raid the Social Security surplus. After all of the speeches they have given about lockboxes and protecting Social Security, they in fact turn to that money and pull it out in 2005, for what? To give tax breaks to the wealthiest among us.

There is a commentator named Kevin Phillips who for years was identified as a Republican. I do not know what his partisan identification is, honestly, but I can tell you what he had to say yesterday on National Public Radio. It is something that every American should hear. He was introduced by Bob Edwards, a familiar voice on National Public Radio, who said:

> The Republican Party last week had its tax reduction proposal passed by the House of Representatives. Commentator Kevin Phillips says it's the most unsound fiscal legislation of the last half century.

I go on to read quotes from Mr. Phillips.

> . . . that's because the cuts are predicated on federal budget surpluses so far out, six, eight or ten years, that it would take an astrologer, not an economist, to predict federal revenues.

He goes on to talk about the fairness of the tax cuts. Kevin Phillips:

> . . . Democrats are certainly correct about the imbalance of benefits by income group. Treasury figures show that the top 1 percent of families, just 1 percent, would get 33 percent of the dollar cuts, the bottom 60 percent of families get a mere 7 percent.

So if you are in the category of a Donald Trump or a Bill Gates, or someone else, this is worth a lot of money. The Republican tax break plan literally could mean $10-, $20-, or $30,000 a year. But if you are a working family, struggling to make ends meet, putting some money together for your kid's college education or your own retirement, it turns out to be in the neighborhood of $20 or $30 a year. That, unfortunately, says a lot about what the Republican proposal would mean to the average family. To endanger our economic expansion, to possibly raise interest rates on home mortgages, business loans and farmers' loans, and to provide tax breaks which are amusing, at best, for average working families, that does not sound like a very sound deal.

The Senator from West Virginia made the point, and effectively. We should be dedicating these funds to retiring this national debt. It is still hard to believe that only 2 years ago we were talking about amending the Constitution for a balanced budget amendment because we were so hopelessly ensnared by deficits—it was the only way out. Now we are talking about giving money away at such a fast pace that we can endanger the economic recovery we have seen in the United States.

Let me read Kevin Phillips' conclusion in his remarks on National Public Radio's ''Morning Edition'' on Monday, July 26:

> We can fairly call the House legislation the most outrageous tax package in the last 50 years. It's worse than the 1981 excesses, you have to go back to 1948, when the Republican 80th Congress sent a kindred bill to President Harry Truman. Truman vetoed it, calling the Republicans bloodsuckers, with offices on Wall Street.

Not my words—Kevin Phillips'.

> Not only did [Truman] win reelection, but the Democrats recaptured Congress.

I think that puts it in a perspective that we should all be willing to acknowledge. If we are going to deal responsibly with tax cuts for working families, we have to do it in a way that does not tip the scales too heavily on the side of the wealthiest in America.

This is a good illustration: For the top 1 percent of wage earners in America, under the Republican tax break plan, a $22,964 average payment; for the bottom 60 percent, families making less than $38,200 a year—hold on to your hats, America—the Republican tax break plan gives you $139. That is a little over $10 a month. But look what Bill Gates and other folks are coming out with. It is the same old story.

Take a look at when the Republican tax break plan starts to bite. If you are in the baby boom generation, thinking about an idyllic retirement someday, right about the time you start to retire, the Republican tax breaks explode.

What does it mean? It means that, frankly, there will be less money around for the basics of life that we expect from the Federal Government. It is hard to imagine that we are in a position, as we are today with this economic expansion, of jeopardizing it with this kind of a tax break plan. I think it is far better for us to take an approach which the President and the Democrats support—I am beginning to believe some Republicans support—which suggests that our priorities should include Medicare, Social Security, and paying down the national debt.

The Republican approach literally provides no money, no money whatsoever, for us to take care of our Medicare obligation. I think it is just disingenuous for the Republicans to argue that they are only spending 25 percent of the surplus because we know that the unified surplus is, in fact, including the $1.9 trillion in Social Security trust funds. They talk a lot about lockboxes and protecting Social Security, and yet when it comes right down to it, when you look at the money available outside of Social Security, the actual surplus that we hope to imagine, 97 percent of it goes to the Republican tax cut and little or no money for Medicare and other national priorities.

This debate this week is critically important for all American families to

sustain the economic expansion which we have seen for the last 7 years.

I yield back the remainder of my time.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. I ask unanimous consent that I be allowed to speak for 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT addressed the Chair.

Mr. ROCKEFELLER. I yield to the majority leader.

Mr. LOTT. I thank the Senator for yielding.

We are working on a unanimous consent request that we might want to try to get cleared in the next 6 or 7 minutes. So if that should occur, I would ask the Senator to yield me time to do that. But we would do it in such a way where his remarks would not be interrupted.

I thank the Senator for yielding to me.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I thank the majority leader for his courtesy.

## VETERANS HEALTH CARE

Mr. ROCKEFELLER. Mr. President, I had not expected to talk this afternoon. But I am here. The Senator from West Virginia is here. I am the ranking Democrat on the Veterans' Committee. I am overwhelmed with the sense of urgency, and almost despair, about the condition of health care for veterans in our country.

Because of caps, the veterans health care budget, which is really the most important part of the veterans operation—benefits are important but what they really care about is, is health care going to be there if they need it?—has been flat-lined for the next 5 years. By flat-lined, I mean there is no increase. Even though there are more expenses, there is more requirement for their services, there is no more money.

The Veterans' Administration is the largest health care system in the country. The only difference from any other health care system is that it is entirely a Government health care system. Therefore, the Government determines what it can spend and what it cannot spend. Unlike the private health care systems, it cannot spend a dime over what it is appropriated. So the Balanced Budget Act of 1997, which capped all discretionary programs—which said they could not increase—obviously, therefore, included the veterans health care budget.

I cannot tell you the damage that is being done to our veterans across this country. We talk about veterans, and we talk about them in very florid terms because they deserve that. Those who use the veterans hospitals, who have been in combat, who have sacrificed for their country—America kind of entered into a compact and said that these people will be treated with a special respect, special honor, and special care, and that they will get the health care they need under all conditions and at any time.

The Republican tax cut, along with any other that might be suggested, including the one that is being talked about at $500 billion, would make a mockery of that commitment to the American veteran. I want people to understand that very clearly.

I will talk specifically about some particular types of needs, such as spinal cord injuries, injuries resulting in blindness or amputations, posttraumatic stress disorder. Beginning in October of last year, I asked my committee staff to undertake an oversight project to determine if the Veterans' Administration is, in fact, maintaining their ability to care for veterans with these kinds of special needs.

PTSD, posttraumatic stress disorder, we always associated with the Vietnam war. We have discovered it is not just that war; it is the gulf war, it is the Korean war, it is the Second World War, and it even goes back to the First World War. It is an enormous problem and a special need.

This oversight project, which I asked my staff to do, reviewed 57 specialized programs housed in 22 places around the country.

I say at the outset that the VA specialized services are staffed with incredibly dedicated workers, people who could be working for higher pay in private situations, private hospitals. They are trying to do more, and they are trying to do it with increasingly less. They are often frustrated in their desire to provide the high-quality services that they went to the Veterans' Administration to provide in the first place. I salute them.

I will mention three of the findings in this oversight effort, and then that is all I will do.

First, the Veterans' Administration is not maintaining capacity in a number of specialized programs and is barely maintaining capacity in a number of others. Despite resource money shortfalls, field personnel have been able—but just barely—to maintain the level of services in Veterans' Administration prosthetics, blind rehabilitation, and spinal cord injury programs.

Staffing and funding reductions have been replete. The VA's mental health programs are no longer strong. For example, my staff found that veterans are waiting an average of 5 and a half months to enter posttraumatic stress disorder programs. This is completely unacceptable for a veteran.

Secondly, the VA is not providing the same level of services in all of its facilities. There is wide variation. Staff found this variation from site to site in capacity in how services are provided. The availability of services to veterans seems to depend on where they reside, not what they have done but where they reside. In my view, all veterans are entitled to the same quality of service regardless of whether they live in West Chester County or in Berkeley, WV. It should make no difference. They all have suffered the rigors of combat. They have all earned it. We promised it to them. We are not delivering it to them.

Third, and finally, competing pressures on Veterans' Administration managers make it virtually impossible for them to maintain their specialized medical program. Hospital administrators particularly are being buffeted by competing demands because from central headquarters comes the lack of money, from the veterans comes the demand for services, which used to be there and which now aren't, and they are, therefore, caught in the middle. In many cases, they are suffering across-the-board cuts and have been for a number of years.

I can tell Senators that under neither Democratic nor Republican administrations has the veterans' health care program been adequately funded and funded up to the cost-of-living increase and the so-called inflationary aspect, which reflects what actually true health care represents. We are robbing Peter to pay Paul in many of our veterans' hospitals and to maintain other services on which a higher priority is placed.

Mental health services, I come back to it. Why is it in this country that we will not put down mental health as a disease? Why is it we do not consider it as a medical condition? Why is it that we put it off in the category of human behavior as opposed to something that has a cause in something, such as posttraumatic stress disorder. For veterans, to blindside mental health, to push mental health to the side is beyond comprehension and beyond humanity.

In summary, it is imperative that we all understand what the budget crunch has meant to each VA health service. I say all of this because, again, of the $792 billion tax cut. If that takes place, everything I have talked about not only continues to be true but grows somewhere between 15 and 30 percent worse, not if we are to increase programs, but taking already that we are funding below where programs ought to be, where we have shortchanged veterans' health care services for years, and now we are going to cut billions and billions of more dollars out of that over these next years. That is absolutely intolerable.

I ask unanimous consent to print a copy of the summary of the committee minority staff report in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

### MINORITY STAFF REVIEW OF VA PROGRAMS FOR VETERANS WITH SPECIAL NEEDS

#### BACKGROUND

From its inception, the Department of Veterans Affairs (VA) health care system has

been challenged to meet the special needs of its veteran-patients with combat wounds, such as spinal cord injuries, blindness, and post-traumatic stress disorder. Over the years, VA has developed widely recognized expertise in providing specialized services to meet these needs.

In recent years, VA's specialized programs have come under stress due to budget cuts, reorganizational changes, and the introduction of a new resource allocation system. In addition, passage of Public Law 104–262, the Veterans' Health Care Eligibility Reform Act of 1996, brought significant changes in the way VA provides health care services.

In passing eligibility reform, Congress recognized the need to include protections for the specialized service programs. As a result, Public Law 104–262 carried specific provisions that the Secretary of VA must maintain the ''capacity'' to provide for the specialized treatment needs of disabled veterans in existence at the time the bill was passed (October 1996), including ''reasonable access'' to such services.

VA has been required to report annually to Congress on the status of its efforts to maintain capacity, with its most recent report published in May 1998. In that report, VA stated that ''by and large, the capacity of the special programs . . . has been maintained nationally.'' However, others have been more critical, including the General Accounting Office, which found that ''much more information and analyses are needed to support VA's conclusion,'' and the VA Federal Advisory Committee on Prosthetics and Special Disability Programs, who called VA's ''flawed'' and consequently refused to endorse VA's report.

MINORITY STAFF PROJECT

Beginning in October 1998, at the direction of Ranking Member John D. Rockefeller IV, Senate Committee on Veterans' Affairs minority staff undertook an oversight project to determine how well VA is complying with Public Law 104–262's mandate to maintain capacity in the VA's specialized programs. After first meeting with VA Headquarters officials in charge. of the various specialized projects, as well as representatives of the veterans service organizations, we designed a questionnaire and interview protocol for each of the five service programs we selected to study.

Our starting place was defining ''capacity,'' since the law did not do so. After extensive consultation with experts in the field, we chose to focus on the following six factors: (1) number of unique veterans treated; (2) funding; (3) the number of beds (if applicable); (4) the number of staff; (5) access to care, in terms of waiting times and geographical accesssibility; and (6) patient satisfaction. Capacity was rated by comparing data from FY 1997 to FY 1998 to determine whether the program has or has not maintained the same level of effort in each of these areas.

In order to maximize efficiency, we primarily visited sites that included more than one specialized program; most were within reasonable geographical distance of Washington, DC. The sites selected are not a random or representative sample. Nevertheless, we believe the information gathered is significant because we believe capacity should be maintained uniformly throughout the system. There should be no gap in services, regardless of where in the country a veteran goes for treatment.

We reviewed 22 facilities, with a total of 57 specialized services programs: Prosthetics and Sensory aid Services (16 sites); Blind Rehabilitation (3 sites); Spinal Cord Injury (8 sites); PTSD (14 sites); and Substance Use disorders (16 sites).

DATA COLLECTION AND VALIDITY

Data collection and validity is a known area of VA weakness, confirmed by our own observations in this study. Despite the fact that we provided program managers ample time to fulfill our data requests, many lacked the basic, everyday data that should have been easily accessible to them. In many cases, the data provided to us by VA were revised upon our discovery of inherent discrepancies or our questioning of the methodology used. Nevertheless, because it would have been beyond the scope of our resources to conduct a full-scale audit, we relied on the unvalidated data provided to us by VA as the basis for this report.

FINDINGS AND CONCLUSIONS

In general, we found that VA specialized programs are staffed with incredibly dedicated workers, trying hard to do more with less, but often frustrated in their desire to provide high quality services. One of the most consistent complaints we heard about were staffing shortages, which left employees feeling they were working ''close to the edge.'' When staffing is cut to the minimum, programs quickly become vulnerable to disruptions and service delays, and staff suffer from overwork, poor morale, burnout, and/or reduced motivation and quality of performance as a result.

In summary, we reached the following conclusions:

I. VA is not maintaining capacity in a number of specialized programs, and is barely maintaining capacity in the others. We found that despite resource shortfalls, VA field personnel have been able—just barely—to maintain the level of services in the Prosthetics, Blind Rehabilitation, and SCI specialized service programs, but have not maintained capacity in the PTSD and Substance Use Disorder programs. Because of staff and funding reductions, and the resulting increases in workloads and excessive waiting times, the latter two programs are failing to sustain service levels in accordance with the mandates in law.

II. VA is not providing the same level of services in all facilities. In the specialized programs we visited, there was wide variation from site to site in capacity and provision of services. It appears that the relative availability of services to veterans depends on where they reside. However, we believe *all* veterans are entitled to the *same level and quality of service,* regardless of where they live in the country.

III. A gross lack of data, as well as lack of validation of the available data, prevents VA from making verifiable assessments as to whether capacity in its specialized services programs is being maintained. In almost every program we visited, it was difficult to obtain the information we requested, despite the fact that programs were given ample time to complete the data sheets we provided. Frequently, we were told data had been lost, was irretrievable, or was not compiled in a useful format. There were often inherent discrepancies in the data we were initially presented that took a great deal of discussion to resolve. Without solid, readily available data, VA cannot itself ascertain whether it is meeting its own capacity standards. In fact, this problem with data reconciliation is one reason why VA is late in producing this year's capacity report.

IV. VA's shift from inpatient to expanded outpatient treatment has improved access and saved money. At the same time, certain programs, which require a mix of in- and outpatient services, have been weakened. We are concerned that patient outcomes may have suffered in the process. VA is struggling to find the right mix of inpatient and outpatient services. Expanded outpatient services often improve geographical access for veterans and are a good way to stretch limited resources. However, we believe VA may be moving too quickly to close certain inpatient programs, such as PTSD and Substance Use Disorders. This trend is controversial among many clinicians, who are concerned about the appropriateness and effectiveness of outpatient services for many in this patient population. We believe much more research is needed in this area.

V. VA's specialized services suffer from a lack of centralized oversight. As with all VA's health care services, decentralization has resulted in a lack of effective oversight. Headquarters issues directives, but for the most part, there is little followup to monitor how well these directives are being carried out. In addition, once money is allocated to the VISNs, there is little or no monitoring of how this money is being spent. As a result, we found that VA is not in a position to say with any certitude whether or not specialized services are being adequately maintained.

The lack of centralized oversight is particularly critical in the PTSD and Substance Use Disorder programs. VA Headquarters program consultants, by and large, are not consulted when inpatient programs in the facilities are closed or altered in size or format. We believe their expertise should be sought before any decisions are made to change established programs.

VI. Competing pressures on VISN directors make it virtually impossible for them to maintain capacity in their specialized service programs. VISN directors, particularly those most affected by funding reductions resulting from VERA, are being buffeted by competing demands for the declining resources allocated to them. In many cases, they are suffering across-the-board cuts, or may be having to ''rob Peter to pay Paul'' to maintain other programs on which they place a higher priority. With the lack of centralized oversight, VA has little ability to ensure that VISN directors are spending their money for specialized services as directed.

Mr. ROCKEFELLER. I thank the Chair.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, might I inquire, are we presently in morning business?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. LOTT. Mr. President, if I could be recognized, we hope to momentarily get an agreement with regard to proceeding with the Interior appropriations bill. We are waiting to hear from the Democratic leader before we enter this agreement. I think we have it worked out. I certainly hope so. If the Senator wishes to proceed as in morning business, I hope he will yield once we get the agreement all squared away.

Mr. DORGAN. Mr. President, of course, I will yield, if the majority leader requests. I had wanted to make some comments about the trade deficit

that was announced late last week and show a few charts. I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## FISCAL POLICY AND THE TRADE DEFICIT

Mr. DORGAN. Mr. President, I will come to the floor and comment generously about this fiscal policy issue of $792 billion of tax cuts over the next 10 years. We don't have surpluses yet. We have economists who tell us we will have surpluses and when these surpluses will exist over the coming 10 years. We have an appetite for trying to figure out what we want to do with all these surpluses that have not yet materialized.

Economists at the start of this decade in the early 1990s predicted almost universally that we would have a decade of slow, anemic economic growth and continued trouble. Going back 8 years, we had a $290 billion fiscal policy deficit. The Dow Jones industrial average had not yet reached 3,000, or it had barely reached 3,000. We had sluggish growth. In 1999, the budget deficit is largely gone. The Dow is somewhere close to 11,000. We have robust economic growth and economists predicting wonderful economic news as far as the eye can see. These are economists—who can't remember their telephone numbers or their home addresses—predicting what will happen, 3, 5, and 10 years in the future.

The result is people seize on these surpluses and say: Let's give three-quarters of $1 trillion in tax cuts, nearly one-third of which will go to the top 1 percent of the income earners in this country. I will have a lot more to say about that in the debate which will ensue during this week. My colleague, Senator DURBIN, just read Kevin Phillips' comments that were on NPR yesterday morning. I think they were right on point. I hope we can spend some time discussing those as well.

I want to talk about another deficit, one that both parties have been largely ignoring. It is called the trade deficit.

I have here a Washington Post article that appeared last Wednesday, July 21, ''U.S. Trade Deficit Hit Record High in May.'' This was written by Paul Blustein. Paul is the Washington Post reporter who writes their trade stories. Any time you see a trade story, it will be by Paul Blustein. He will talk to the same three or four people. They will comment in each article, and month after month the trade deficit worsens.

We have a very serious problem. We tackled the budget deficit, and wrestled it to the ground. Now, we largely don't have a fiscal policy budget deficit. It is gone. That was tough, hard work. But the trade deficit is growing and at an alarming rate.

It is interesting that this story in the Washington Post actually says that we have a trade deficit that is a record deficit, ''thanks to America's unflagging appetite for foreign goods.'' The Post, in this story, finds all of this both ''heartening'' and ''worrisome'' for the U.S. economy.

Heartening because so many Americans are feeling so prosperous that they are buying an ever-rising amount of imports.

I am more struck by the ''worrisome'' aspects of this trade deficit. One of those was highlighted by the Post article, with the Japanese deciding that their central bank should intervene with respect to the value of the yen against the dollar—to manipulate the value of the yen in order to influence continued exports to the United States.

What is happening to the trade deficit? This chart shows record trade deficits month after month. It means we are buying more from abroad than we are selling abroad. It means we are running a current accounts deficit that will some day be repaid by a lower standard of living in the United States.

There is a lot of disagreement among economists but none about that. A trade deficit must at some point be repaid in the future by a lower standard of living in the country that experiences the trade deficit.

Here is a chart that shows the growing U.S. trade gap, exports and imports. You will see what is happening to the U.S. exports on this softening bottom line. And you will see what is happening to the level of U.S. imports and the massive red ink that represents indebtedness that burdens this country. Should we worry about this indebtedness? The answer is, yes, of course. Should we do something about it? Absolutely, and sooner rather than later. There is now in law a commission called the Trade Deficit Review Commission. This is a piece of legislation that I authored and was cosponsored by Senators BYRD, STEVENS, and others. This Commission has been impaneled and is now beginning its work. But we have a responsibility as a country to respond to this trade deficit and to do so aggressively.

Another chart shows the deficit with respect to specific countries. Japan: We have had a trade deficit with Japan forever, it seems. This trade deficit is robust and growing, and continues to grow to record levels.

It used to be that economists would say that we have trade deficits because we have been running budget deficits. When you run budget deficits, you are going to run trade deficits. The budget deficits are gone. Why is the trade deficit worsening? Yes, with Japan, with Canada, and it is worsening with Mexico.

We used to have a trade surplus with Mexico. We were able to turn that into a deficit very quickly because we negotiated a trade agreement with Mexico that was incompetent. We have incompetent negotiations by bad negotiators that resulted in bad trade agreements and higher deficits with respect to Mexico. We turned a surplus into a deficit.

China: What is happening with China is a very substantial runup of the trade deficit in just a matter of about 8 to 10 years.

What do we do about all this? I am concerned, obviously, about not only the general trade deficit, which weakens our manufacturing sector, but also with respect to the economic stars in our country, the family farmers. Agricultural trade balances have worsened. Our agricultural trade balance with Europe declined sharply between 1990 and 1998. In Asia and Europe, our agricultural trade balance has changed in a manner that is detrimental to family farming.

Going back to the issue I mentioned on the previous chart of our individual bilateral trade relations with China, Mexico, Canada, and Japan, you will see that we are continuing to run trade deficits that are alarmingly high. Yet no one wants to talk about it, and certainly no one wants to do anything about it. The minute someone says let's take some action, someone else will say: You are proposing a trade war. What on earth can you be thinking about?

This country had better think about itself for a few minutes. It ought to turn inward and ask: What does this red ink mean to the U.S. and its future?

Even Mr. Greenspan, who is prone to understatement, indicated that this cannot be sustained for any lengthy period of time. This country must worry about its bilateral trade relationships with the countries I just described. It also must worry about its general trade strategy, which results in huge trade deficits and in the kind of trade relationships, which I think will make this country's citizens increasingly angry and anxious.

Incidentally, these trade deficits are much higher than the Washington Post reports. The trade deficit in the Post represents the combination of goods and services. If you look at trade deficits in goods, it is much higher than this. That relates to the question of what is happening to the American manufacturers.

Let me talk about farmers specifically for a moment. Our family farmers around the country are suffering through a very serious crisis. The bulk of that is because prices have collapsed on the grain market, even though the stock market is reaching record highs. The grain market has collapsed, and farmers are told their food has no value.

Another serious part is that, even though we produce more than we need and we need to find a foreign home for our grain, we discover that grain floods across our borders and livestock floods across our border, especially from Canada and other parts of the world, undercutting our farmers' interests. Why? Because we had incompetent negotiators negotiating incompetent trade agreements. They have resulted in increasing trade deficits in this country.

The story behind the headlines is the injury that is caused to family farmers, to the manufacturing sector, to that part of America's economy that has produced the strength of this country today. That strength will not long exist if we don't do something about the trade deficit. Those who talk about tax cuts for 10 years, anticipating future economic growth and future economic surpluses, will not see those develop and will not experience that growth unless we do something about this exploding trade deficit. You cannot sustain long-term economic growth when you run a $21.3 billion deficit in one month. It wasn't more than a couple decades ago that we ran a trade deficit of a couple billion dollars in a quarter of the year. Wilbur Mills, who used to be chairman of the Ways and Means Committee, called special meetings to talk about emergency tariffs to be put on goods to reduce the debilitating trade deficits. Now they are $21 billion a month and growing in a very significant way.

We need the Administration and the Congress to understand that the underlying trade negotiations and trade agreements we have had with a number of countries, including NAFTA and GATT, have undercut this country's interests. They do not work. They sell out the interests of family farmers in this country. They injure our manufacturing sector. I am not suggesting putting up walls and retreating. I want our producers to be required to respond to competition. But our producers cannot and should not be expected to respond to competition when our producers have one hand tied behind their backs by unfair trade agreements.

Finally, I want to talk for a moment about what happened last December with the U.S. Trade Ambassador announcing a deal with respect to the Canadian trade issue. They have all kinds of agreements that, as I said, weren't worth much. We just allowed them to put a bunch of points down on a piece of paper. I reviewed that deal, and nothing much has happened. In fact, our trade situation with Canada grows worse. Our agricultural economy grows worse. Prices have continued to collapse. Family farmers continue to be injured and, at the same time, we have durum and spring wheat, cattle and hogs flooding across the border, most unfairly traded and most in violation of the basic tenets of reciprocal trade. Yet, nothing happens. Nobody lifts a finger to say let us stand up on behalf of your interests and take the actions you would expect the Federal Government to take to insist on fair trade.

## IN MEMORY OF JUDGE FRANK M. JOHNSON, JR.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 165, in memory of Senior Judge Frank M. Johnson, Jr. of the United States Court of Appeals for the Eleventh Circuit, submitted earlier by Senators HATCH, LEAHY, and others.

The PRESIDING OFFICER (Mr. GREGG). The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 165) in memory of Senior Judge Frank M. Johnson, Jr., of the United States Court of Appeals for the Eleventh Circuit.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HATCH. Mr. President, late last week, Senior Judge Frank M. Johnson, Jr. of the Eleventh Circuit Court of Appeals passed away at his home in Montgomery, Alabama. Judge Johnson will be remembered for his courageous stands in some of the most difficult struggles of the Civil Rights era. At a time when men of lesser fortitude would have avoided direct confrontation on the highly unpopular issues of school desegregation and voting rights for African-Americans, Judge Johnson stood firm on his convictions and the law.

Soon after his appointment to the district court by President Eisenhower in 1955, Johnson took the courageous step of striking down the Montgomery law that had mandated that Rosa Parks sit in the back of a city bus. He believed that ''separate, but equal'' was inherently unequal. Judge Johnson upheld the constitutionality of federal laws granting African-Americans the right to vote in Alabama elections. He believed in the concept of ''one man, one vote.''

Despite tremendous pressure from Governor George Wallace, Judge Johnson allowed the voting rights march from Selma to Montgomery to proceed despite threats of continued civil unrest and violence. The national fervor that followed the march resulted in the enactment of the Voting Rights Act of 1965.

Today, around a courthouse that bears Frank Johnson's name in Montgomery, there are integrated schools, buses, and lunch counters. Truly representative democracy flourishes in Alabama with African-American state, county, and municipal officials who won their offices in fair elections with the votes of African-American and white citizens. In large part because of Judge Johnson, attitudes that were once intolerant and extreme have dissipated, but the example he set has not.

The members of the Judiciary Committee extend our deepest sympathies to Judge Johnson's family and the host of friends that he had across the country. We will always remember this federal judge for exemplifying unwavering moral courage in the advancement of the wholly American ideal that ''all men are created equal'' and deserve ''equal protection of the laws.''

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 165) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 165

Whereas Frank M. Johnson, Jr. was appointed a United States District Judge in Alabama by President Eisenhower in 1955;

Whereas Judge Johnson was elevated to the United States Court of Appeals for the Eleventh Circuit by President Carter in 1979;

Whereas in a time when men of lesser fortitude would have avoided direct confrontation on the highly unpopular issues of school desegregation and voting rights for African-Americans, Judge Johnson stood firm in upholding the constitution and the law;

Whereas Judge Johnson struck down the Montgomery, Alabama law that had mandated that Rosa Parks sit in the back of a city bus, because he believed that ''separate, but equal'' was inherently unequal;

Whereas Judge Johnson upheld the constitutionality of federal laws granting African-Americans the right to vote in Alabama elections, because he believed in the concept of ''one man, one vote'';

Whereas despite tremendous pressure from Governor George Wallace, Judge Johnson allowed the voting rights march from Selma to Montgomery to proceed, thus stirring the national conscience to enact the Voting Rights Act of 1965;

Whereas today, around a courthouse that bears Frank Johnson's name in Montgomery, Alabama there are integrated schools, buses, and lunch counters, and representative democracy flourishes in Alabama with African-American state, county, and municipal officials who won their offices in fair elections with the votes of African-American and white citizens;

Whereas in part because of Judge Johnson's upholding of the law, attitudes that were once intolerant and extreme have dissipated,

Whereas the members of the Senate extend our deepest sympathies to Judge Johnson's family and the host of friends that he had across the country;

Whereas Judge Johnson passed away at his home in Montgomery, Alabama on July 23, 1999;

Whereas the American people will always remember Judge Frank M. Johnson, Jr. for exemplifying unwavering moral courage in the advancement of the wholly American ideal that ''all men are created equal'' and deserve ''equal protection of the laws'' and for upholding the law: Now, therefore, be it

*Resolved by the Senate*, That—

(1) The Senate hereby honors the memory of Judge Frank M. Johnson, Jr. for his exemplary service to his country and for his outstanding example of moral courage; and

(2) when the Senate adjourns on this date it shall do so out of respect to the memory of Judge Frank M. Johnson, Jr.

## UNANIMOUS CONSENT REQUEST

Mr. LOTT. Mr. President, I believe we are about ready to make the unanimous consent agreement to proceed with the Interior appropriations bill. We had one further modification. I believe it is being cleared on both sides.

I expect there will be no problem, and hopefully we can go forward with that.

In that connection, I urge Senators to come to the floor if they have amendments to this Interior appropriations bill so we can make progress and not spend too much time on opening statements or in quorum calls. I am not encouraging amendments. But if a Senator has an amendment that he or she is very serious about, they should come onto the floor and offer it. If that is not done, we will have a vote before too long. So Members should understand that we will have the Interior appropriations bill available and that we are serious about going forward with it. We hope to make good progress on it tonight. Actually, I would like to see us complete the bill in view of the modifications that have already occurred concerning some of the provisions within this Interior appropriations bill.

It is a very important bill for our country. It involves, obviously, the parks and lands all over our country that are very important to people of all persuasions, as well as funding for various commissions.

I hope that it can be considered quickly. I commend in advance Senator SLADE GORTON for the work he has done on this bill, and his ranking Member, Senator BYRD, and Senator REID, who I know has been very interested in this bill and supports it.

When you have Senator GORTON and Senator BYRD prepared to work on an appropriations bill, I suspect that most of its problems have already been resolved, and the Senate should be able to act very quickly on that legislation.

Mr. DORGAN. Mr. President, will the Senator yield?

Mr. LOTT. I am glad to yield to Senator DORGAN.

Mr. DORGAN. I inquire of the majority leader about the schedule. My understanding is that he is intending to bring the Interior appropriations bill to the floor. I wonder if the majority leader might tell us about the plans he has with respect to the reconciliation bill. Would that be the bill that follows the Interior appropriations bill?

Mr. LOTT. Yes. The reconciliation bill, which provides for the tax relief package, would be next after the Interior appropriations bill. We would like to go to that tonight and begin opening statements. But regardless of what happens with Interior, we will be on the reconciliation bill by 10:30 or quarter to 11 tomorrow morning.

We have to have some time in the morning for statements with regard to the juvenile justice bill, which is going to conference. But that should be completed about 10:30 or 10:45.

Mr. DORGAN. Because of the time limitations on the reconciliation bill, is it the intention, I am curious, of the majority leader that that would consume all of the time tomorrow and Thursday?

Mr. LOTT. That would be our intention. Of course, under the rules dealing with reconciliation, you have 20 hours for debate on the tax relief package. Included in that 20 hours would be debate on amendments, although the vote time on amendments would not count against the 20 hours. So it would be our intention to go through the day and into the night on Wednesday and all day Thursday on this subject and into the night. If we finish the bill Thursday night, then it would be our plan at this time for that to be the conclusion for the week.

I hope we would have already done the Interior appropriations bill. If we can't get it done because of problems that develop Thursday or, as you know, if amendments are still pending when all time has expired, we go through this very unseemly process on voting during what we call a ''votarama,'' with one vote after another and only a minute or two between the votes to explain what is in them.

I hope we won't have that problem this time. But if we can't get it done Thursday night, of course, we would have to go over into Friday. But under the rules, we should be able to finish it not later than Friday and, hopefully, even Thursday night.

We had indicated earlier a desire to go to the Agriculture appropriations bill early next week and, hopefully, complete the Agriculture appropriations bill. We then have the option to go back to the reconciliation conference report.

Mr. DORGAN. I will just observe, if I might, that one way to avoid a lot of recorded votes is to accept a lot of amendments.

Mr. LOTT. If the pattern continues on that bill as it has on other bills, I think that probably will happen. As I recall, last Thursday night at about 8 o'clock around 43 amendments were accepted en bloc on the State-Justice-Commerce appropriations bill.

It is a little tougher when you are talking about tax policy. But I am sure that some probably will be accepted to move forward.

Mr. President, I ask unanimous consent that the Senate now turn to the House Interior bill, and, immediately following the reporting by the clerk, Senator GORTON be recognized to offer the text of the Senate reported bill, as modified, to strike on page 116, lines 3 through 7; page 129, line 14, through page 132, line 20, as an amendment to the House bill.

I further ask unanimous consent that the amendment be agreed to, the bill, as thus amended, be considered original text for the purpose of further amendment, and that any legislative provision added thereby be subject nevertheless to a point of order under rule XVI.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object, we just heard that Senator BYRD wanted to come to the floor for a couple of seconds. If you would withhold the unanimous consent request until that time, we would greatly appreciate it.

Mr. LOTT. Is there some other issue that Senator BOXER wished to address?

Mrs. BOXER. My issue is taken care of. I am very happy to say that the oil royalties will be stricken from this particular bill. I am very pleased about that. I don't know about the other Senators, but, for me, I have no issue and no problem with the unanimous consent request.

Mr. LOTT. I had been notified that the Senator from California wanted to be on the floor when this unanimous consent request was made.

Mrs. BOXER. I, in fact, read it, and the whole thing is fine with me.

Mr. DURBIN. Mr. President, reserving the right to object, if I might inquire of the majority leader, while we are awaiting the arrival of Senator BYRD, perhaps the Senator from Washington, the chairman of the subcommittee, could respond to some questions about the unanimous consent request.

First, it is my understanding that the unanimous consent request does not waive any rule XVI objections.

Mr. GORTON. The Senator is correct. It does not.

Mr. DURBIN. Am I also correct that the four sections being stricken by the unanimous consent request are sections 328, relevant to the introduction of Grizzly bears into the States of Idaho and Montana, as well as section 340, relative to hard rock mineral mining in the Mark Twain National Forest in Missouri; section 341, another environmental rider relative to energy efficiency; and, finally, section 342, the one referred to by the Senator from California, the environmental rider on crude oil and royalty for purposes of the evaluation question?

Mr. GORTON. The Senator from Illinois is correct on all four.

Mr. DURBIN. Out of the 13 objectionable environmental riders, 4 objectionable by the administration, 4 are being stricken by this unanimous consent request, and all others are in the bill for consideration and subject to rule XVI, or any other appropriate motions.

Mr. GORTON. Or any amendment which may be proposed.

Mr. DURBIN. I thank the Senator from Washington.

Mr. LOTT. Mr. President, if I could inquire of the Senator, is the Senator saying that the administration supports the introduction of Grizzly bears into Idaho and the other State?

Mr. DURBIN. I think the administration's concern is that they allow for the first time Governors of these States to dictate the policy on Federal lands.

Mr. LOTT. That sounds like a good idea.

Mr. DURBIN. It depends on your point of view.

At this point, I withdraw any objection to the unanimous consent request.

Mr. LOTT. Mr. President, are we waiting on Senator BYRD's arrival?

Mrs. BOXER. It is my understanding, I say to my leader, that he is, in fact,

on his way over, and he needs just a couple of minutes. If the leader will, I ask him to delay the unanimous consent request.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNANIMOUS CONSENT AGREEMENT

Mr. GORTON. Mr. President, I withdraw the formal text of the unanimous consent request by the majority leader, and I will reread it so it is grammatically correct.

I ask consent that the Senate turn to the House Interior bill and, immediately following the reporting by the clerk, Senator GORTON be recognized to offer the text of the Senate-reported bill, as modified, to strike page 116, lines 3 through 7; page 129, line 18 through page 132, line 20, as an amendment to the House bill. I further ask consent that the amendment be agreed to and the bill as thus amended be considered original text for the purpose of further amendment and that any legislative provision added thereby may nonetheless be subject to a point of order under rule XVI.

The PRESIDING OFFICER. Without objection, it is so ordered.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. The clerk will report the bill by Title.

The legislative assistant read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

AMENDMENT NO. 1357

(Purpose: In the nature of a substitute)

Mr. GORTON. Mr. President, pursuant to the unanimous consent agreement, I send an amendment to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Washington [Mr. GORTON] proposes an amendment numbered 1357.

Mr. GORTON. Mr. President, I ask unanimous consent 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. GORTON. Mr. President, I am pleased to bring before the Senate the Interior and Related Agencies Appropriations Act for Fiscal Year 2000. The bill totals $13.924 billion in discretionary budget authority, an amount that is $1.125 billion below the President's budget request and $19 million below the fiscal year 1999 enacted level. The bill fully complies with the spending limits established in the Balanced Budget Act of 1997, and the amount provided is right at the subcommittee's 302(b) allocation.

As is always the case, putting this bill together has been a tremendous challenge. While I am extremely grateful that Senator STEVENS, in consultation with Senator BYRD, was able to provide the subcommittee with an increase over its original 302(b) allocation, the amount contained in this bill is still slightly below the fiscal year 1999 enacted level. I wish to point out to my colleagues, however, that this does not mean that delivery of programs can be continued at the current level simply by holding appropriations even with last year.

The programs funded in this appropriations bill are highly personnel-intensive, supporting tens of thousands of park rangers, foresters, and Indian Health Service doctors. As such, mandated pay and benefit increases for Federal personnel and increases in rent charged by the General Services Administration—increases over which the subcommittee has no control—place a significant burden on Interior bill agencies. The committee must choose either to provide funds to cover these costs, or require agencies to absorb them by reducing services or finding more efficient ways of delivering programs. For fiscal year 2000, these fixed costs amount to more than $300 million. While the committee has provided increases to cover a majority of this amount by drawing on carryover balances and reducing low priority programs, some agencies will be forced to absorb a portion of their fixed costs.

Given the necessity of funding most fixed costs increases within an allocation that is slightly below the current year level, there is little room in this bill for new programs, increases in existing programs, or additional projects of interest to individual Members. But by terminating low priority programs and making selective reductions in others, we have been able to provide targeted increases for certain high priority programs.

The committee has provided a $70 million increase for the operation of the national park system, including $27 million to increase the base operating budgets of 100 park units. This increase is further indication of the Senate's commitment to preserving and enhancing our national park system while remaining within the fiscal constraints of the balanced budget agreement. The Senate bill puts funding for the operation of our parks at a level fully $277 million higher than the fiscal year 1995 level, and 82 percent over the amount provided a decade ago.

For the other land management agencies, the bill provides an increase of $27 million for the Fish and Wildlife Service, including more than $13 million for the operation of the national wildlife refuge system. The bill increases the Forest Service operating account by $17 million, including significant increases for recreation management, forest ecosystem restoration, and road maintenance. A $22 million increase is provided for management of lands by the Bureau of Land Management, as well as another $5 million increase for payments in lieu of taxes. The amount provided for PILT reflects a continued effort to steadily increase appropriations for this program without harming the core operating programs funded in this bill. Though appropriations for PILT were stagnant throughout the first half of this decade, the amount provided in this bill represents a 28 percent increase over the amount provided in fiscal year 1995.

Among the programs in this bill that are specifically for the benefit of Native Americans, the committee's top priority has been to provide the Secretary of the Interior with the resources necessary to fix the Indian trust fund management system. Indian land and trust fund records have been allowed to deteriorate to a deplorable state, and the Department of the Interior now finds itself scrambling to reconcile thousands upon thousands of trust records that are scattered across the country. Many of these records are located in cardboard boxes that have not been touched for years, or in ancient computer systems that are incompatible with one another. The Department is performing this task under the watchful eye of the court, having been sued by those whose trust accounts it is supposed to be managing.

I believe that Secretary Babbitt is making a good faith effort to address this problem, and as such have recommended a funding level for the Office of the Special Trustee that is $39 million over the amount originally provided for fiscal year 1999. This amount will provide for both the manpower and the trust management systems necessary to fix the problem. I will note, however, that the Federal track record in managing large system procurements is spotty at best. As such, I hope to continue to work closely with the Committee on Indian Affairs and the Committee on Energy and Natural Resources to ensure that these funds are expended wisely, and that we will not regret our decision to provide such a considerable amount for this purpose. I plead with my colleagues, however, to refrain from offering amendments to this bill that would radically change the course of action for trust management that has been laid out by the administration. Any such changes should be carefully considered and have the benefit of hearings by the authorizing committees.

With regard to other Indian programs, I will quickly note that the bill provides an $83 million increase for the Indian Health Service, as well as significant increases for both Indian law enforcement and Indian school construction and repair. Funding for Indian schools continues to be among the highest programmatic priorities expressed by members of the Interior Subcommittee.

The Interior bill also funds a myriad of programs that preserve and enhance our nation's cultural heritage. Perhaps the most visible of these programs are the National Endowments for the Arts and the Humanities. While the subcommittee's allocation did not allow us to increase these accounts by large amounts as would be the desire of many Senators, the bill does provide a $1 million increase for each program. These increases will not allow for any dramatic expansion the Endowments' ongoing programs, but do indicate the committee's general support for the Endowments and the efforts they have made to respond to the various criticisms that have been leveled at them. I hope that we may able to do even better next year.

The bill also includes the full $19 million required to complete the Federal commitment to the construction of the National Museum of the American Indian on The Mall, and $20 million to continue phase two of the comprehensive building rehabilitation project at the Kennedy Center.

The final grouping of agencies in this bill that I will mention at this time are the energy programs. The bill provides funding for both fossil energy R&D and energy conservation R&D at roughly the current year level. These programs are vital if we hope to stem our increasing dependence on foreign oil, to preserve the country's leadership in the manufacture of energy technologies, and to enable our economy to achieve reductions in energy use and emissions in ways that will not cripple economic growth. The bill also preserves funding for the weatherization and state grant programs at the fiscal year 1999 level. Maintaining current funding levels for these programs is made possible in part by the absence of any new appropriations for the naval petroleum and oil shale reserves, and a deferral of appropriations previously made for the Clean Coal Technology Program.

Mr. President, I would like to touch on two more issues that may be of particular interest to members. The first is funding for land acquisition. Many Senators are aware that the President's budget request included some $1 billion for a ''lands legacy'' initiative. This initiative is an amalgamation of programs, some of which the committee has been funding for years, some of which are entirely new. Many of the programs included in the initiative lack authorization entirely. While the committee may well have chosen to provide many of these increases if it were allowed to distribute a $1.1 billion increase in spending, the lands legacy initiative is absurd in the context of any overall budget that adheres to the terms of the Balanced Budget Act of 1997—the very act that has helped produce the budget surplus that the President is so anxious to spend.

To be clear, this bill does include large amounts of funding for a variety of land protection programs. The bill provides about the same amount of funding for Federal land acquisition as was included in the Senate reported bill last year. It also includes significant increases for other land protection programs such as the Cooperative Endangered Species Fund and the Forest Legacy program. The bill does not, however, include funds for the new and unauthorized grant programs requested by the administration, and does not include funds for the Stateside grant program that is authorized under the Land and Water Conservation Fund Act. While I am sympathetic in concept to the Stateside program, the subcommittee's allocation does not provide the room necessary to restart the program.

Finally, I would like to take a moment to discuss the issue of appropriations ''riders.'' This administration has leveled much criticism at this Congress for including legislative provisions in appropriations bills. This criticism is disingenuous in at least two ways. First, there are without question legislative provisions in this very bill that, if removed, would prompt loud objections from the administration itself. Among these are provisions well known to my colleagues, such as moratoria on offshore oil and gas development and a moratorium on new mining patent applications. There are also some less well-known provisions that have been carried in this bill for years, the subjects of which range from clearcutting on the Shawnee National Forest to the testing of nuclear explosives for oil and gas exploration. Nearly all of these provisions are included in the bill because Congress at some point felt that the Executive branch was tampling on the prerogatives of the legislative branch.

This leads to my second point. It should be well apparent to my colleagues that this administration long ago made a conscious decision not to engage Congress in productive discussions on a wide array of natural resource issues. Most of these issues are driven by statutes that most reasonable people admit are in dire need of updating, streamlining or reform. Instead, the administration has chosen to implement its own version of these laws through expansive regulatory actions, far-reaching Executive orders and creative legal opinions. When the administration overreaches in this fashion, concerned Senators are compelled to respond. The administration knows this, and has clearly made a political calculation that it is in its interest to invite these riders every year. For the administration to criticize the very practice that it deliberately provokes is, as I have said disingenuous at best.

If the administration wishes to take issue with the substance of these provisions rather than hide behind a criticism of the process, it is welcome to do so. Consideration of this bill is an open process. It is not done ''in the dark of night,'' as we so often read. The bill has moved through subcommittee and full committee, and is open for amendment by the full Senate. I expect that we will discuss some of these provisions during the coming debate, and hope that Senators will carefully consider the arguments made on both sides. What I hope Senators will not do, is vote to abdicate the Senate's responsibility to oversee the actions of the executive branch, or sacrifice the power of the purse that is granted to the Congress by the Constitution.

With that admonition, Mr. President, it is probably an appropriate time to turn to Senator BYRD and thank him for his assistance in drafting this bill. He has been an invaluable resource as I have tried to be responsive to the priorities of Members on that side of the aisle, and has been particularly helpful in securing an allocation for the subcommittee that enables us to report a bill that is deserving of the Senate's support. I thank Senator BYRD's staff as well—Kurt Dodd, Liz Gelfer, a detailee, and Carole Geagley for all the hard work they have done on this bill. I also want to thank my subcommittee staff for the long hours and hard work they have put in on this bill—Bruce Evans, Ginny James, Anne McInerney, Leif Fonnesbeck, Joe Norrell, and our detailee Sean Marsan. Kari Vanderstoep of my personal staff and Chuck Berwick—who has now departed my office for business school—have also done a great job of coordinating the many parts of this bill that have a direct impact on the State of Washington.

Once again, I think this is a good bill that balances the competing needs of the agencies it funds against the broader fiscal constraints that we have imposed upon ourselves. I hope my colleagues will support the bill.

There is one final point I want to make, Mr. President, and emphasize to all the Members and their staffs who are within hearing.

This is a bill created by many individual Senators' requests for projects in their home States, and sometimes for projects that are regional and national in scope. This year, at least during my tenure, we set another new record. One hundred Senators made more than 2,400 requests for specific provisions in this bill. Obviously, we could not grant all of the requests that are valid. I must say most of them were, in the sense they were for projects that would increase the ambience of the park system, the national historic system of the country as a whole.

Senator BYRD and I, working together, have done the best job we possibly could in setting priorities for those programs, within the constraints of a bill I have already said is very limited in the total amount of money we have.

So Members' requests that are not included in the bill were not ignored; they were simply omitted either because the given individual had higher priorities within his or her own State or because other priorities intervened in their way.

Mr. BYRD. Mr. President, I speak today in support of the fiscal year 2000 Interior and Related Agencies appropriation bill. This is an important bill which provides for the management of our Nation's natural resources, funds research critical to our energy future, supports the well-being of our Indian populations, and protects the historical and cultural heritage of our country. I urge the Senate to move swiftly in its consideration of this appropriation bill.

It has been my privilege to serve as the ranking member for this bill at the side of our very able chairman, the senior Senator from Washington. Senator GORTON has done an outstanding job in crafting the bill and balancing its many competing interests, a particularly daunting challenge this year in light of the spending caps within which the Appropriations Committee must operate. Even in the best of years, crafting the Interior bill is not an easy task.

The Interior bill remains one of the most popular appropriation bills, funding a diverse set of very worthy programs and projects. The bill is full of thousands of relatively small, yet very meaningful details. Our chairman is a master of the complexities of the Interior bill. It is a pleasure to work on this appropriations bill with Senator GORTON at the helm. He has treated the Senators fairly and openly. This bill was put together in a bipartisan manner, and it reflects priorities identified by Senators, by the public, and by the agencies which are charged with carrying out the programs and projects funded in the bill.

The breadth of the activities covered by the Interior bill is vast—ranging from museums to parks to hospitals to resources to research—with most of the funds being spent far away from the capital. This bill funds hundreds of national parks, wildlife refuges, national forests, and other land management units. This bill supports more than 400 Indian hospitals and clinics and thousands of Indian students. A wide variety of natural science and energy research and technology development are funded through this bill, providing immediate and far-reaching benefits to all parts of our Nation and to our society as a whole.

This bill makes its presence known in every State—from the rocky coasts of Maine to the mountains of California, from the coral reefs of Florida to the far flung island territories of the Pacific, from the Aleutian Islands in Alaska to the Outer Banks of North Carolina. And the number of requests Senator GORTON and I have received from Senators for project funding in the Interior bill—more than 2,400 requests for specific items—reflects its broad impact. While it is impossible to include every request, Senator GORTON has done an admirable job of accommodating high-priority items within the allocation, an allocation that is $1.13 billion below the President's budget request and nearly $20 million below last year's enacted level of $13.94 billion in new discretionary spending authority.

Highlights of this bill include:

A total of $234 million for federal land acquisition, which is $178 million below the President's fiscal year 2000 request (with reprogrammings) and $94 million below the level of funding included in the fiscal year 1999 act for land acquisition.

A continuing emphasis on operating and protecting our national parks. Park operation funds are increased by $70 million, including increases of $19 million for resource stewardship, $16 million for visitor services, and $20 million for park maintenance.

A continuing focus on the operational needs of the other land management agencies. The bill contains an increase of $24 million for the operating accounts of the Bureau of Land Management, including a $9 million increase for range management. The bill also provides an increase of $22 million for the resource management account of the Fish and Wildlife Service, including an increase of $13 million for refuge operations and maintenance.

The bill contains $159 million for the Strategic Petroleum Reserve, allowing operation of the reserve without selling any of its oil.

Fossil energy research and development is funded at $395 million (with use of transfers and prior year balances), which is an increase above both the enacted level (by $11 million) and the request level (by $27 million). Specific increases also are provided for select energy conservation programs in building research and standards, transportation technology and specific industries of the future activities.

While this bill provides needed resources for protecting some of our nation's most valuable treasures, we still have a long way to go. The agencies funded through this bill are starting to make progress towards addressing their operational and maintenance issues, thanks to the leadership of the Congress. But we are by no means out of the woods. Many deplorable conditions remain; many important resource and research needs are unmet. We must continue our vigilance towards unnecessary new initiatives as well as unwise decreases, our support for the basic programs that provide the foundation of the Interior bill, and our careful stewardship of the resources and assets placed in our trust.

Lastly, I extend a warm word of appreciation to the staff that have assisted the Chairman and myself in our work on this bill. They work as a team and serve both of us, as well as all Senators, in a very effective and dedicated manner. On the majority side, the staff members are Bruce Evans, Ginny James, Anne McInerney, Leif Fonnesbeck, Joseph Norrell, and Sean Marsan. On my staff, Kurt Dodd, Carole Geagley, and Liz Gelfer have worked on the Interior Bill this year. This team works under the tutelage of the staff directors of the full committee—Steve Cortese for the majority and Jim English for the minority.

Mr. President, this is a good bill, and I urge the Senate to complete its action promptly.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, what is the pending legislative business?

Mr. GORTON. I believe I have not abandoned the floor at this point.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the floor was open.

Mr. GORTON. Then I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mrs. MURRAY. Mr. President, I believe I have the floor.

Mrs. BOXER. Point of order, Mr. President. You recognized the Senator from Washington, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mrs. BOXER. I thank the Chair for that clarification.

Mrs. MURRAY. Mr. President, I rise to talk about some legislative language that is in the Interior bill, on which I will be offering an amendment shortly, which is going to give away more of our public lands for the benefit of a few and at a tremendous cost to all the rest of us. This is a cost to the American taxpayer and to our environment.

I want to begin, as I talk about this, by expressing that I am not going to be attacking the mining industry, which this amendment will be speaking to. I believe mining is an important industry in our country. While most of us don't think about it a lot, mining does produce some important minerals that are vital in every one of our lives. Mining is not only important in individual routines, but it is vital to our industrial base and rural economies. We need an active mining industry in our country. Like all of my colleagues, I support a responsible mining act, but we, as citizens of this country, need a fair deal.

Today the mining industry is treated exceptionally well by our very old laws. Unfortunately, the American taxpayers are not treated well. They receive next to nothing from this industry, and our public lands suffer as well.

A fact that should both amaze and really appall the American public is that mining in this country is controlled by a law that was written in

1872. That law was written just a few short years after the Civil War, when Ulysses S. Grant was still President of the United States. The law of 1872 allows mining interests to buy our Federal lands for between $2.50 and $5 per acre. Guess what they are paying for that now, 130 years later. They are paying between $2.50 and $5 per acre. That is quite a bargain.

And what does the hard rock mining industry pay in royalties back to us for using our land, for what they pull out of our land? Nothing, zero, zilch. The hard rock mining industry is the only extractive industry in this country that pays absolutely no royalties to the taxpayers for minerals that are coming from our public lands.

In addition, over the course of these past 130 years since this law was written, the mining industry has caused tremendous environmental damage throughout the West. Mining waste dumps are responsible for poisoning streams, lakes, and ground water with toxic minerals such as lead, cadmium, and arsenic. Mining in the United States has left a legacy of 12,000 miles of polluted streams and 180,000 acres of polluted lakes. There are 500,000-plus abandoned mines in this country. Guess who pays for the cleanup. The taxpayers. That bill is estimated to be between $32 and $72 billion. We, the taxpayers, pay for the cleanup of these mines.

The 1872 mining law did make sense when it was written 130 years ago. I think everybody here agrees that a lot has changed in 130 years. Our Nation is very different. The value of our public lands has increased dramatically, far more than $2.50 an acre. We no longer need incentives to get people to move out west, which is why that mining law was written. The West, I think, has been settled. Our commitment in this country to protect the environment is now extremely intense. It was nonexistent 130 years ago when this law was written, in part because our natural resources seemed unlimited 130 years ago. I think all of us know that is not true anymore.

Mining technology has changed radically in 130 years. Today a lot more land is needed for every ounce of mineral that is extracted. When this law was written, an old man with a pony or a mule would ride up with his pickax and do his mining on his claim. Today we extract hundreds of pounds of rock that is waste. They use cyanide to leach through it to get just a tiny amount of gold. Technology has changed dramatically.

No one can stand up and say we should continue to regulate the mining industry under the law that was written 130 years ago. Everyone knows it is time to make changes. The question is how and when. Do we engage in a comprehensive overhaul, or do we do as we have done in this bill and just fix the section of the 1872 law that offends the mining industry? Do we try to move forward with the 1872 mining law, or do we move backwards?

There is one provision in the 1872 mining law that provides minimal protection for the environment and for the taxpayers. When someone stakes a mining claim, the law provides that that person can obtain up to, but no more than, 5 acres of additional nonmineral land for the purpose of dumping mining waste. You would think, given the incredible deal that the mining industry is getting on access to public lands, the industry would be more than willing to comply with that provision.

Yet when the mining industry was faced with having to comply with the one and only environmental provision of the 1872 mining law, it went running to its champions in Congress to change that provision. The mining industry says it cannot mine if it is only given 5 acres of public land on which to dump its waste. Indeed, it argues, and Senator CRAIG's amendment in this Interior appropriation bill guarantees, the mining industry should get as much public land as it desires to dump its waste. The contention of the industry as well as the language in this bill is that the 5-acre limitation in the 1872 mining law is without meaning. They are wrong. The 5-acre provision provides a small amount of protection for our public lands, and this Senate should retain it.

The Senate has already done some work on this issue. Senator GORTON amended the emergency supplemental appropriations bill that we passed a few months ago to exclude a mine in my home State of Washington from this 5-acre mill site limitation. Of course, other mining industries now want the same good deal. So Senator CRAIG put a rider on the Interior appropriations bill we are now considering, in full committee, that completely voids any limitation on mill sites for all current and future mining operations.

We have to ask: Where is the balance? Where is the fairness in this limited approach? Where is the fix for the public and their lands to this outdated mining law? It is absolutely absent. The sort of reform to the 1872 mining law that we are witnessing in this bill is not taking us forward but it is taking us backwards.

The environmental provisions in the mining law should be strengthened, not eliminated. Taxpayers should be compensated much more by the mining industry rather than being asked to expand the giveaway of public lands that we are doing in this bill.

Senator GORTON's amendment on the supplemental appropriations bill and Senator CRAIG's amendment on the Interior bill give the mining industry everything it wants and give the American public larger dumps. Companies that paid next to nothing for the public land they are mining, $2.50 an acre, are still paying absolutely no royalties and dumping more waste rock than ever on our precious public lands.

I am not going to stand by and let this industry dump waste rock on our public lands without limitation and without true compensation. We do need comprehensive mining law reform, but until then I am going to fight this effort to piecemeal reform, especially piecemeal reform that benefits the one side that already enjoys tremendous advantages under the current system.

Let me show Senators a photo of Buckhorn Mountain in Washington State. This is the area in Washington State. It is a gorgeous piece of public land, our land. This is what it will look like once a mill moves forward, from this to this. What does it cost the mining industry to go from this to this? Mr. President, $2.50 an acre. They won't have to pay for the extra land to dump their rock, the cyanide-leached rock that they put there. They won't pay the taxpayers anything, and this is our public land. We know we need a mining industry, but if the mining industry wants to continue to make profits in this country, then they should at least compensate the public for what they are going to do.

Let me show my colleagues what this area will look like in a few years. What will the mining industry pay us for changing it from the beautiful photo I showed to this? Just $2.50 an acre. Under this bill and under the bill that passed recently, they are going to get as much acreage as they want to dump their rocks onto our public lands.

I want to make some points that I think are worth remembering. The mining industry has been very slow to embrace any mining law reform. Now that it has encountered a part of the law it doesn't like, it is trying to eliminate the one provision that can limit some of the damage that has been caused by the mining.

The mining law permits mining companies to extract gold, silver, copper, and other hard rock minerals without paying a cent in royalties to the taxpayer. Hard rock mining is the only extractive industry to get this benefit. I will show this to my colleagues. Coal pays 8-percent royalties for underground mining. Hard rock mining, none; they pay nothing.

As we look at this chart, we see that hard rock mining clearly has been given a great gift by the taxpayers of this country, and now in this bill, we see them wanting more and more public lands. Have they negotiated a change to the 1872 mining law in exchange for the more land on which they want to dump? No. They are not going to be paying any more royalties. They are not going to be paying any more for the land. We have simply given it away to all current and future mines in this bill.

Coal, oil, and gas miners all pay 12.5-percent royalties from what they take from public lands. Since 1872, taxpayers have given away $240 billion worth of minerals to the hard rock mining industry. By contrast, all Western States collect a royalty or production fee for minerals removed from State lands. We are talking Federal lands in this bill.

Western States collect a royalty or production fee on State lands, collecting between 2 and 10 percent on the gross income of mineral production. We collect nothing for Federal lands.

The 1872 mining law is in need of environmental and fiscal reform. Congress should not overturn the mill site decision and expand it to allow more dumping of mining waste on public lands without getting something back. The mill site decision does not halt hard rock mining on public lands. I want to make that clear. The mill site decision does not halt hard rock mining. Don't believe the false rhetoric you will hear about the Solicitor's opinion enforcing a provision of the 1872 mining law, at the expense of millions of dollars and thousands of jobs. That is simply not true. They can pay for it as everybody else does if they need more land.

The Department of the Interior will not enforce the mill site waste limitation retroactively. For future mine proposals and mine expansion, the limitation will apply. The industry says the mill site decision is not consistent with existing law and instead is policy advocacy by the Interior Department. I am sure we will hear that from our colleagues. That is incorrect. The 1872 mining law clearly limits mill site claims to 5 acres for each lode or placer claim. If the industry is so sure of its legal position, it can fight the Solicitor's opinion in court.

For the Record, let me show my colleagues what the law actually says. The mill site statute we referred to throughout this debate is right here. It says:

> Where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith.

And it goes on and it says:

> Such land may be included in application for a patent for such claim, and may be patented therewith subject to the same requirements as to survey and notice as are applicable to placers. No location made of such nonmineral land shall exceed five acres.

That was the law written back in 1872. It is very clear. Five acres. It says so right here. If the industry doesn't agree with the Solicitor's opinion that this law doesn't say exactly what we have just read, they can go to court and fight it. But to come and give this huge giveaway to an industry that already receives an awful lot from the taxpayers I believe is wrong.

Clearly, we need to reform the mining law of 1872 and maybe, in fact, the mill site limitation needs revision, but not here, not in this way. We need to hold hearings and mark up an authorization bill. We ought to give the American public time to learn of the issue and revise input. If we are going to revise the 1872 law—and we should—we, the taxpayers, ought to give something back.

Mr. DURBIN. Will the Senator yield for a question?

Mrs. MURRAY. Yes.

Mr. DURBIN. I am glad I can join the Senator in her effort to oppose section 336. This is an environmental rider that is part of the Interior appropriations bill. The administration said that it is 1 of the 13 riders—I think there are 9 remaining—which would be the basis of a veto of the legislation. I want to make sure the Record is clear and ask the Senator from Washington several questions.

In every instance when she referred to mining, are we talking about mining on public land?

Mrs. MURRAY. We are absolutely referring to mining on our public land.

Mr. DURBIN. So this is land that is owned by all of us, all American taxpayers, land that has been purchased or obtained and supervised over the years at the expense of Federal taxpayers?

Mrs. MURRAY. The Senator from Illinois is absolutely correct. In order to have a claim, you stake your claim on our public lands, lands owned by the taxpayers, and then you have the right to go ahead and move forward and dig your hard rock, and all you have to pay is $2.50 an acre.

Mr. DURBIN. So for $2.50 an acre, these companies—even foreign companies—can go to our federally owned, publicly owned lands and they can start mining for various minerals of value, is that correct?

Mrs. MURRAY. That is correct.

Mr. DURBIN. Now, as I understand the Senator from Washington, you can take up to 20 acres for the actual mining of the mineral, and then you can use 5 acres under the law, nonadjacent, not connected, for the so-called mill site.

Mrs. MURRAY. That is correct. That is where they dump the rock they have extracted.

Mr. DURBIN. Will the Senator show us the photo of what the mill site dumping ground looks like for those who have decided to mine on land owned by taxpayers? If you could show us as an example——

Mrs. MURRAY. This would be one example, I say to the Senator from Illinois, of what a dump site looks like. Here is another one we have. I will put this up as well. This shows where we have an open pit mine, which is what we are talking about, and where the rock is dumped.

Mr. DURBIN. Let me ask the Senator from Washington, if some company—and it could be a foreign company—pays $2.50 an acre, they can start mining these minerals, and then they can take 5 acres of public land and dump all of the rock and waste that is left over after they have mined, is that correct?

Mrs. MURRAY. That is correct.

Mr. DURBIN. Does that company have an obligation under the law, or otherwise, to clean up the mess they have left behind?

Mrs. MURRAY. No, they do not.

Mr. DURBIN. That is an important point. After they have gotten this wonderful deal—$2.50—to go ahead and mine for valuable minerals, they then dump on the mill site all of their waste and rock and leave it for generations to come—some of those pictures look like a lunar landscape—if I understand what the Senator from Washington is saying.

Mrs. MURRAY. Well, the Senator from Illinois is correct. Currently, there are 500,000 more abandoned mines in this country today, and the cleanup for that is estimated to be between $32 billion and $72 billion. That is our money.

Mr. DURBIN. Do they monitor the dump sites, mill sites, for these mines to make sure they don't have at least any environmental danger? They are ugly, but are they environmentally dangerous?

Mrs. MURRAY. In the permanent thinking of mining, those decisions are looked at. But once this is there, it becomes abandoned. It falls to the taxpayers to have to clean it up.

Mr. DURBIN. Let me ask the Senator from Washington, section 336 of this bill, the so-called environmental rider, called a prohibition on mill site limitations, if I read this correctly—I would like to read it to the Senator from Washington for her response—says:

> The Department of Interior and the Department of Agriculture, and other departments, shall not limit the number or acreage of mill sites based on the ratio between the number or acreage of mill sites and the number or acreage of associated load or placer claims for any fiscal year.

I want to ask the Senator from Washington, as I read this, the 1872 mining law put a limitation of five acres on those who mine on our Federal lands to use as a dump site for their mill tailings. If I understand this environmental rider, this says there is no limitation whatsoever—that if this is enacted, these mining companies paying $2.50 an acre and literally taking millions of dollars of minerals out of our land and not paying us for it can then turn around and dump their waste in every direction with no limitation on the number of acres they can cover with this waste.

Mrs. MURRAY. The Senator from Illinois is exactly correct. If we allow the language that is in the Interior bill to move through and to become law, that is exactly correct.

Mr. DURBIN. I ask the Senator from Washington the following question. It almost boggles the mind that we would be so insensitive to the legacy of our generation that we would take beautiful land owned by our country which could be visited and used by future generations and turn it into a landscape dump site of these mill tailings with absolutely no obligation by the company that has made the mess.

Is that the outcome of this amendment?

Mrs. MURRAY. The outcome of this amendment is that we will have hundreds of acres in this country—maybe thousands of acres—with tailings on

them and cyanide-leached rock left on them, and it will be our responsibility to clean it up. And the mining industry will not have given us a dime for that.

Mr. DURBIN. If I understand, if I might ask the Senator from Washington, this so-called cyanide leach process—I am not an expert, but as I understand it, those who are able to mine on Federal public lands bring up the dirt and the rock and then pour some form of cyanide over it hoping they will derive down at the bottom of this heap some handful of gold, for example.

Mrs. MURRAY. The Senator from Illinois is correct. The technology that is available today allows mining companies to haul out rock, pour cyanide through it, and come up with an ounce of gold. The price of gold today allows them to do that. It has been profitable for them. Therefore, they take tons of rock, and they are claiming of course that they need more acreage for mill sites because it takes so much more rock to get a small amount of gold.

Mr. DURBIN. Am I correct that the Senator from Washington is saying that after they have poured the cyanide over the rock and the dirt is taken away, they have a handful of gold, and they walk away from the mess that is left behind?

Mrs. MURRAY. The Senator from Illinois is absolutely correct. This is what it would look like.

Mr. DURBIN. Let me ask the Senator, if we are dealing with a law that was written 127 years ago, the obvious question is, Why would they want to amend one section to allow these mining companies to befoul so much more public land and leave the mess behind after they have taken the profits? Why aren't we addressing a wholesale reform or change of this mining law so that taxpayers have a fighting chance?

Mrs. MURRAY. I respond to the Senator from Illinois, I am as baffled as he is, that every Senator knows the 1872 mining law needs to be reformed. It needs to be reformed in a fair and responsible manner. If, indeed, the mining companies need more mill sites, then the taxpayers ought to get something in return. In fact, the mill site limitation is truly the only part of this law that allows us some control over what is left behind because the mining industry did not want to give and take, they just took, and got their rider put into this bill.

Mr. DURBIN. I would like to ask the Senator from Washington to compare—I think this really tells an interesting story, too—the difference in standards that we apply for those who want to use Federal public lands owned by the taxpayers to mine coal and those who want to use them for hard rock mining or for other minerals. I am amazed. I would like to ask the Senator from Washington if she can tell me why. It is my understanding that when it comes to the selection of the mining site, there has to be approval by the Bureau of Land Management through a leasing process for the mining of coal on Federal lands.

Mrs. MURRAY. If the Senator will yield, I have a chart that shows what you do if you are going to mine coal and what you do if you are going to mine hard rock. On the selection of the coal mining site, you have to get approval through a leasing process under the Mineral Leasing Act. In comparison, if you are going to do hard rock mining, which we are talking about in this bill, it is self-initiation on the location. In the mining law based in 1872, there is no BLM approval that is required.

Mr. DURBIN. I would like to ask the Senator a second point. What a giveaway this is—$2.50 an acre. They can literally mine millions of dollars' worth of minerals. The amazing thing is, they do not pay the taxpayers of this country any percentage for what they bring out.

I would like to ask the Senator from Washington to compare the mining of coal on Federal lands when it comes to royalties to mining under the hard rock provisions.

Mrs. MURRAY. The Senator from Illinois is correct. Coal miners have to pay 8 percent for underground mining and 12½ percent for surface mining where hard rock pays none.

I would think the Senators from States who have coal miners who are paying 8 percent would be rushing to the floor and saying: Where is the fairness here where you can mine hard rock for gold and pay not one dime back to the taxpayers for the use of that public land and for what you have extracted from that public land, and yet coal is 12½ percent?

Mr. DURBIN. Is the Senator from Washington aware of the fact that in 1959 a Danish mining company—not an American company—successfully patented public lands in Idaho containing over $1 billion worth of minerals and paid the Federal taxpayers $275?

Mrs. MURRAY. I would say to the Senator from Illinois that there are a lot of taxpayers out there who would like to earn $1 million and only pay $275.

Mr. DURBIN. Is the Senator aware as well that since 1872 there has been more than $240 billion of taxpayer subsidies to this mining industry?

Mrs. MURRAY. I was unaware of the figure, but $240 billion in subsidies does not surprise me.

We are saying that if we are going to hand you another giveaway, which this bill does, what are you going to give us back? In this bill, they give nothing back.

Mr. DURBIN. Is my understanding correct, I ask the Senator from Washington, if you are going to mine coal on public lands, you have to have a detailed permitting and reclamation standard filed which says you are going to clean up your own mess, but when it comes to hard-rock mining you can literally leave your mess behind, from what appears to be a very weak standard?

Mrs. MURRAY. The standard criterion is absolutely correct. If you are going to dig coal, you have to have a detailed permitting and reclamation standard. But if you are going to mine hard rock, which we are talking about in this bill, this giveaway in this bill, you have to show reasonable measures to prevent unnecessary or undue degradation of the public land. It is very minimal.

Mr. DURBIN. I say to the Senator from Washington, I am happy to join her in this effort. This debate will continue. I am happy to say that when she has completed her statement on the subject, I will have some other things I would like to add.

I see the Senator from California on her feet to ask another question.

Mrs. BOXER. Yes. Thank you very much. I ask the Senator from Washington to yield for a few questions.

Mrs. MURRAY. I would be happy to yield for a question.

Mrs. BOXER. I appreciate the leadership of the Senator from Washington and Senator DURBIN from Illinois on the Appropriations Committee fighting this antienvironmental rider all the way from the day they heard about it. I am just pleased to be here in a supportive role.

The reason I came to the floor is that the Senator from Washington has spoken in depth about a particular mine in her State. I want to ask her a few questions about a mine in my State, not that I expect her to be aware of all of this, but to see if she agrees with some of my conclusions on this.

First, I want to underscore through some questions what the Senator from Illinois asked; that is, I say to the Senator from Washington, I have learned by listening to this debate that when one mines for coal, there is in fact a royalty payment due to the Federal taxpayer. Is that correct?

Mrs. MURRAY. The Senator from California is correct. If you are mining for coal, you have to pay 8 percent for underground mining and 12½ percent for surface mining. That is royalty that you pay back to the taxpayers for the use of that land.

Mrs. BOXER. Is it kind of like a rent payment? You go onto Federal land, and for that privilege you pay a percentage of the value of the coal that is mined and extracted from that land. Is that correct?

Mrs. MURRAY. The Senator is correct. If the Senator from California had a mine and wanted to go in and dig coal out of our public lands, she would have to pay the public back something for that coal. It is ours, after all. But if you are going to dig for gold, hard rock mining, you do not have to give us anything back.

Mrs. BOXER. Is the Senator aware—I know she is because she is working with me on this issue, too—that if an oil company finds oil on Federal land, they must pay a royalty payment as well? Is that correct?

Mrs. MURRAY. The Senator from California is well aware that when you

extract oil, you pay a royalty; you pay us, the public, who owns the lands, something back.

Mrs. BOXER. As a matter of fact, the Senator knows, because she is helping me on this, as is the Senator from Illinois, we have problems with some of the large oil companies. We don't believe they are paying their fair share of oil royalties, but at least they are paying some royalties.

Mrs. MURRAY. The Senator from California is correct. She may not agree they are paying enough, but they are paying something. Under the current mining laws in this country, hardrock mining pays nothing back to the taxpayers.

Mrs. BOXER. Is it not further the case the Senator from Washington is not suggesting that there be any royalty payment?

Mrs. MURRAY. I am only suggesting, I say to my colleague, that if in this bill we are blatantly going to give them use of our public lands far in addition to what they have had before, they give the public something back. Maybe we should negotiate that in terms of royalties; maybe it should be in a higher percentage that they pay the public; maybe it should be in the requirement that they clean up the land that they have left behind.

Certainly we should get something back for our public lands rather than what we have done in this bill, which is to just give them more of our land.

Mrs. BOXER. Right now, what these hardrock miners want to do is ignore the 1872 mining law. Is it not a fact that in this bill we agree with those mining companies that they can use as much land as they may choose for the waste that comes out of these mines?

Mrs. MURRAY. I say to my colleague, what has occurred is that the technology for taking rock out and getting just a little bit of gold has changed dramatically. The mining companies who used to be able to get by on five acres can no longer get by on five acres. They want a lot more. Instead of negotiating with Congress to pay something back for additional shares, they are saying, no, in this provision in this bill, we have given it away to them for nothing else.

Mrs. BOXER. I ask my friend, because she is the expert on this, if she thinks my description is a good description of why they seem to need so much more land for their waste. From the cyanide leach mine pits, piled hundreds of feet high, over an area of several football fields, is a cyanide solution that is sprinkled over the piles. The cyanide, which is poison, trickles down through the ore, chemically combines with the gold and ore, and collects and pools at the base of the piles. The gold is stripped from the cyanide solution, but the cyanide solution is left on the site.

That is what is so contentious. We have poisoned and dumped on beautiful Federal lands. In this bill, we say: Amen; continue to do it. My friend from Washington is trying to say no to that environmental degradation.

Mrs. MURRAY. The Senator from California gives a very accurate description. Yes, maybe we need gold. We all know there are reasons to have gold. But if the mining companies are going to extract that rock and use cyanide leach, and need more acreage for the dumped rock with cyanide on it, they should pay something back. We should not give it away in the bill. That is what we have done.

Mrs. BOXER. I have a last question, and I don't expect the Senator to know about this particular proposal, but hopefully she can respond to this. In southern Imperial County, CA, a Canadian mining company called Glamis Imperial proposes to build a massive, open pit, cyanide heap leach mine, the kind I have described in my question to the Senator from Washington.

I want the Senator to know how much the people of California treasure their environment, particularly in these areas where we have Native Americans who have very serious tribal concerns over this area. When she fights for the environment in this way, it is not just for the precious State she represents so well, but it is for many other States, including California.

My question is, is my friend aware at the reach and breadth of the fight she is waging?

Mrs. MURRAY. I appreciate the comments from the Senator from California. There are mines in her State as well as many other States where this amendment will simply allow acres and acres of mill site waste to be dumped, with nothing back to the taxpayers.

I hope my colleagues will support me when I offer the amendment to strike the language in this bill, and I hope, as a Congress, we do what we should have done so long ago, which is to look at the 1872 mining law. If the mining companies, indeed, do need more dump sites, ask what we get in return. We should have a fair debate on the mining law. It should not just be in this Interior bill which comes to us at 5 o'clock, when we need to pass a tax bill that we want to start on tomorrow and everybody wants to finish tomorrow, forcing a bill to pass with a huge giveaway. Let's give something back, make sure we have responsible mining reform, and make sure we do it right for the taxpayers who deserve a lot better.

I appreciate the questions from the Senator from California. I will be offering my amendment in a short while. I urge my colleagues to support this amendment on behalf of the environment, on behalf of the taxpayers, on behalf of what is right and fair for people who pay their taxes every day, for other industries to pay their royalties, to pay a fair share. Let's do the mining reform law correctly.

I thank my colleagues. I know the Senator from Illinois wants to discuss this, and I see the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 1359

Mr. GORTON. Mr. President, I send an amendment 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 Washington [Mr. GORTON], proposes an amendment numbered 1359.

Mr. GORTON. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 79, line 19 of the bill, strike ''under this Act or previous appropriations Acts.'' and insert in lieu thereof the following: ''under this or any other Act.''

Mr. GORTON. Mr. President, this is merely a technical amendment sent up simply so Members proposing amendments should ask to have it set aside. We will proceed in a more orderly manner in that fashion.

I expected the Senator from Washington to make a motion to strike. If she wishes to do so now, there will be an amendment to that, and we can complete this debate. If she does not wish to do so, the Senator from New Hampshire is prepared to offer an amendment on which there could be a vote probably in an hour or so.

Does the Senator from Washington wish to make a motion to strike or some other motion at the present time?

Mrs. MURRAY. Mr. President, I do intend to offer this amendment. My colleague from Illinois, Senator DURBIN, desires to speak first and then I will.

Mr. GORTON. There is plenty of time to speak after the amendments are before the Senate. If the Senator, my colleague from Washington, wishes to make a motion to strike now, I will yield the floor for her to do so. If she does not, I suggest we go on to an amendment we can deal with right away.

Mrs. MURRAY. Mr. President, if my colleague from Washington State will yield for a question.

Mr. GORTON. Yes.

Mrs. MURRAY. We want to make sure that all the Members on the other side who wish to speak on this are ready to do so.

Mr. GORTON. There will be no limitation on debate until the amendment is agreed on both sides.

Mrs. MURRAY. With that understanding, I am happy to offer my amendment at this time.

Mr. GORTON. I yield the floor.

AMENDMENT NO. 1360

(Purpose: To strike the provision relating to millsite limitations)

Mrs. MURRAY. Mr. President, I send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself, Mr. DURBIN, and Mr. KERRY, proposes an amendment numbered 1360.

Mrs. MURRAY. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 122, strike lines 1 through 15.

AMENDMENT NO. 1361

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. CRAIG, and Mr. BRYAN, propose an amendment numbered 1361 to the language proposed to be stricken by amendment No. 1360.

Mr. REID. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be stricken, insert:

**SEC. . MILLSITES OPINION.**

(a) PROHIBITION ON MILLSITE LIMITATIONS.—Notwithstanding the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as the ''opinion''), in accordance with the millsite provisions of the Bureau of Land Management's Manual Sec. 3864.1.B (dated 1991), the Bureau of Land Management Handbook for Mineral Examiners H–3890–1, page III–8 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1990), the Department of the Interior and the Department of Agriculture shall not, for any fiscal year, limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to any patent application grandfathered pursuant to Section 312 of this Interior Appropriations Act of __; any operation or property for which a plan of operations has been previously approved; any operation or property for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to October 1, 2000; or any subsequent amendment or modification to such approved or submitted plans.

(b) NO RATIFICATION.—Nothing in this Act shall be constructed as an explicit or tacit adoption, ratification, endorsement or approval of the opinion.

Mr. REID. Mr. President, I simply want to say I have every understanding of the consternation and the concern of my friends from Washington, California, and Illinois about the state of mining in America. They have concerns that should be raised. They have concerns that have been raised. However, this very narrow issue is being talked around.

The fact of the matter is, the picture that my friend from Washington held up, a beautiful mountain area in Washington, has nothing to do with what we are talking about tonight.

The fact is the pictures she showed were pictures from some other mining operation that probably took place at least 60 years ago.

Let's take, for example, a mine that is right over the Nevada border in California. It is called Viceroy Gold. It is in the State of the Senator from California, but it is a mine that is very close to the people of the State of Nevada. It is a short distance from the place I was born, Searchlight, NV. It took $80 million to get that operation in a situation where it could be mined. It started out as an old mine and was originally called Big Chief Mine around the turn of the century. After spending $80 million, this mine was developed. It is an open-pit mine.

I invite everyone to look at that mine because part of the requirements of being allowed to mine there is the land has to be reclaimed. This is an area where they have Joshua trees and some small cedar trees, lots of sagebrush. They have a nursery. When they decide to take some ore, some muck, some dirt out of the ground, they take the trees that are where this open-pit mine is going to be, and they save them. When that area is mined out, they have to reclaim the land. They fill it up and replant these trees. That is going on right now.

That mine only has about a 2-year life left. When the mine is finished, the land will look like it did before. That is one of the requirements. They put up a big bond which makes that necessary. It is not a question of they do it because they like to do it; they do it because that is a requirement of the State of California that they replace the land the way it used to be.

It is good to do all these scary pictures about mining. My father was a miner, and if my father thought there was gold under my desk, he would dig a hole. That is the way he used to do things. But you cannot do that anymore. There are requirements that say you cannot do that.

I say to my friends from the State of Illinois, from the State of California, and the State of Washington, I have tried to change the 1872 mining law. We have been trying to do that for 10 or 12 years. We offered legislation to change that. We have been as far as conference to change it, but it is never quite good enough. No one is willing to go 50 yards; they want to go 100 yards.

I have always said: Let's change it; let's do it incrementally. It is similar to the Endangered Species Act in which I believe. People want to rewrite the Endangered Species Act totally. It will never happen. We are going to have to do it piece by piece.

Superfund legislation: I believe in the Superfund legislation. We are never going to reauthorize Superfund totally. We need to do it piece by piece. That is what we need to do with this mining law.

What are we talking about? Secretary Bruce Babbitt is only going to be Secretary of the Interior for another year and a half. He is not willing to go through the legislative process. What he wants to do is legislate at the Department of Interior, down at 16th Street or 14th Street, wherever it is. He is legislating down there, and he has admitted it.

Secretary Babbitt has indicated he is proud of his procedure and proud of the way he is doing it. This is what he has said:

. . . We've switched the rules of the game. We're not trying to do anything legislatively.

Here is what else he says:

One of the hardest things to divine is the intent of Congress because most of the time . . . legislation is put together usually in a kind of a House/Senate kind of thing where it's [a bunch of] munchkins . . .

The munchkins, Mr. President, are you and me. He may not like that, but I think rather than taking an appointment from the President, he should do as the First Lady and run for the Senate and see if he can get it changed faster.

Our country is set up with three separate but equal branches of Government. The executive branch of Government does not have the right to legislate. It is as simple as that. What has been done in this instance is legislating. That is wrong.

What we are doing—and that is what this debate is all about—is not changing anything. We are putting it back the way it was before he wrote this opinion—he did not write it; some lawyer in his office wrote it—overturning a law of more than 100 years.

All these pictures are not the issue at point. I do not think any of my colleagues will agree that President Clinton or any of his Cabinet officers or anybody in the executive branch of Government have the legal ability to write laws. That is our responsibility, and that is what this debate is about today.

I recognize the 1872 mining law needs to be changed. Let's do it. I am not debating the fact that it needs to be changed. I have offered legislation at the committee level and the conference level to change the amount of money that mining companies pay when they get a patent. We all agree that should be done, but they do not want to do it because it takes away a great piece of argument they have: You can get land for $5 an acre.

We have agreed to change it. It has been in conference where we said: If you go through all the procedures to get a patent, then you should pay fair market value for the land. We agree. Let's do it.

They keep berating these mining companies. Mining is in a very difficult time right now. The price of gold is around $250. Yesterday, the press reported that a company from a little town in Nevada called Battle Mountain in Lander County laid off 200 more workers. That little community has had a little bar and casino for some 60 years. That just closed. Mining is in very difficult shape.

I say to my friends who care about working men and women in this country, the highest paid blue collar workers in America are miners. I repeat: The highest paid blue collar workers in America are miners. They are being laid off because mining companies cannot proceed as they have with these jobs when the gold price has dropped $150 an ounce. It went from almost $400 to $250. They are really struggling. England just sold I do not know how many tons of gold. The IMF is threatening to sell gold. Switzerland is talking about selling gold.

Mining companies are having a difficult time maintaining. One of the largest mining companies in Nevada—the State of Nevada is the third largest producer of gold in the world. South Africa and Australia lead Nevada. We produce a lot of gold, but the confidence of the mining industry has been shaken tremendously. It is getting more and more difficult to make these mines profitable.

One mining company in Nevada, a very large company, has had two successive years of tremendous losses. We have one mining company that still has some profits, the reason being that they sold into the future. They are still being paid on a high price of gold which the free market does not support.

I say to my friends, let's change the mining law. All we are trying to do, I repeat, is not let Secretary Bruce Babbitt legislate. That is what he did. All this does is take the law back to the way it existed.

I heard my friend from Washington say: Why don't the mining companies—I may have the wrong word; ''dialog'' is not the word she used—have some dealings with Congress? They have tried. We are trying to come up with legislation on which we should all agree.

I hope my friends, for whom I have the deepest respect, understand this is a very narrow issue. I do not mind all the speeches. My friend from California, my friend from Washington, and my friend from Illinois are some of the most articulate people in the Senate. They have great records on the environment. My record on the environment is second to no one. I acknowledge I have defended the mining industry in this Chamber for many years, and I will continue to do so. I want everyone to understand I have tried to be reasonable on this issue, at least that is according to through whose eyes you look. I have tried to be reasonable on this issue before us today.

Also, I have tried to be reasonable on the mining issue generally. As my friends will acknowledge, in the subcommittee I offered a very minimal amendment. It was broadened in the full committee, which is fine. But what I have done, along with Senators BRYAN and CRAIG, is tried to change what was done in the full committee.

I think what we have done is reasonable. I tell my friends, basically, here is what it says. It says Babbitt's opinion does not apply to mining operations that are now ongoing and mining operations that are ongoing that need additional mill sites. It does not apply to new applications. I think that is fair.

Mrs. MURRAY. Will the Senator yield for a question?

Mr. REID. In a second.

I think it is fair. I say to my friends, I think it should not apply to anything because I think the opinion is worthless and does not have any meat on its bones. I do not think the Solicitor has any right to offer the opinion that he did. But I think this amendment is an effort to kind of calm things down, to compromise things. I say to my friends, if you want the law changed, let's change it. I am happy to work with you.

I am happy to yield for a question without losing my right to the floor.

Mrs. MURRAY. I appreciate the Senator yielding for a question because the Senator has a second-degree to my amendment that strikes the language. I understand the Senator from Nevada would like to find a compromise, but the language of the second-degree says that:

> . . .any operation or property for which a plan of operations has been previously approved; any operation or property for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to October 1, 2000; or any subsequent amendment or modification to such approved or submitted plans.

To me, it says that leaves the door open for any future, not just current, mine.

Mr. REID. We can even talk about the effective date of this legislation. But the intent of the amendment is to protect those operations that are now ongoing. Secretary Babbitt has written a letter to me—that is part of the record of the committee—saying that mining operations that are now in effect would not be harmed by his Solicitor's opinion. What this amendment does is go one step further and say, not only the mining operations that are now in effect but those that are ever in effect that have filed a plan of operation to expand would also be protected.

So that is really the intent of the amendment.

I say to my friends, don't beat up on the mining industry. They supply good jobs. We are willing to change the law. I do not know if any of my friends are on the committee of jurisdiction, the Natural Resources Committee. I am not. I would be happy to work with you in any way I can, as I have indicated on at least one other occasion tonight.

We have tried. We have had legislation that dramatically changes the 1872 mining law that has gotten as far as the conference between the House and Senate, but it was not good enough. We have made absolutely no changes in the law since I have been in the Senate, going on 13 years. I want to make changes. There aren't too many people who are not willing to make changes.

So I would hope we could tone down the bashing of the mining companies. They supply jobs. They are not trying to rape the environment. Under the rules that are now in effect, if they wanted to, it would be very hard to do.

In the place where I was raised, we have hundreds of holes in the ground, created in the years when mining took place there. There are a lot of abandoned mines we need to take care of. There are laws in effect.

In the State of Nevada you have to have fences around some of the holes so people do not ride motorcycles into them or do things of that nature. Abandoned mines that create a harm to the environment, we need to clean them up. I am willing to work harder to have money to do that. But let's limit what we are talking about to the harm that has already been done. Certainly we have a right to do anything legislatively we need to do to protect harm from happening in the future. That is what I am willing to do.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Mike Haske, a congressional fellow in my office, be granted privileges of the floor during the pendency of S. 1292.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, if the Chair would indulge me for a second.

I apologize to my friend from Illinois who I understand wants the floor.

I yield the floor at this time.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I want to make a quick unanimous consent request.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Sean Marsan and Liz Gelfer, both on detail to the Appropriations Committee staff, and Kari Vander Stoep of my personal staff, be granted floor privileges for the duration of the debate on the fiscal year 2000 Interior and Related Agencies Appropriations Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLARIFICATIONS TO SENATE COMMITTEE REPORT NO. 106–99

Mr. GORTON. I note for the RECORD technical clarifications to the committee report:

On page 37 of the report, the section of the Alaska National Interest Lands Conservation Act that is cited should be section 1306(a), not section 1307(a).

In the last paragraph on page 13 of the report, the reference to the ''Las Vegas Water Authority'' is an error. The language should have referred to the ''Las Vegas Valley Water District.''

With that, I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I rise in opposition to the motion that has been filed by the Senator from Nevada, Mr. REID, on behalf of himself, Senator CRAIG, and Senator BRYAN.

As I read the amendment that has been proposed by the Senator from Nevada, there is virtually no change in the original language offered by Senator CRAIG.

What the Senator from Nevada seeks to do is to say those mining operations currently in operation, those which have the plans of operations submitted to the Bureau of Land Management prior to October 1 of the year 2000, will not be subject to limitation on the acreage that can be used for their dumping of their mill site. I would suggest to the Senator from Nevada it is a slightly different approach, but the net impact is the same.

I have the greatest respect for the Senator from Nevada. I understand his knowledge and familiarity with this subject is certainly far better than my own. But I can tell the Senator, if he drives across my home area in down State Illinois, he will see the legacy of mining which we continue to live with.

In years gone by, in the State of Illinois, and many other States, mining companies literally took to the land, extracted whatever was valuable, and left the mess behind for future generations. You can see it, not only in the areas where we had shaft mining, but you have on our prairies small mountains of what was left behind, often toxic in nature, that now have to be reclaimed by today's taxpayers. Or you might visit Fulton County or southern Illinois and find areas that were strip mined. What is left behind is horrible. It is scrub trees, standing lakes, but, frankly, uninhabitable and unusable—left behind by a mining industry that had one motive: Profit.

It is interesting to me this debate really focuses on a law which was written 127 years ago. Not a single Member of the Senate would suggest that our sensitivity to environmental issues is the same today as it was 127 years ago. We know better. If you want to mine coal in Illinois today, you are held to high standards. The same is true in virtually every State in the Union. You can no longer come in and plunder the land, take out the wealth from it, and leave behind this legacy of rubbish and waste, this lunar landscape. That is today. That is the 20th century. That is 1999.

But when it comes to hard rock mining, we are driven and guided by a law that is 127 years old. It is interesting that the hard rock mining industry has not really worked hard to bring about a real reform of the law. I think that has a lot to do with the fact they have a pretty sweet deal.

For $2.50 an acre, they can take taxpayers' land—owned by Americans—and use it for their own profit, leaving their waste and mess behind, and move on.

For hundreds of dollars, they can extract millions of dollars of minerals and not pay the taxpayers a penny.

The Senator from Nevada says: Don't beat up on the mining industry. I think that is a fair admonition. I don't believe we should beat up on the environment either. We certainly shouldn't beat up on taxpayers. The 1872 mining law does just that.

What is this all about? You will undoubtedly hear in a few minutes from the Senator from Idaho and others that some bureaucrat in the Department of the Interior in November of 1997 took it upon himself to decide what the law would be and all this amendment is about is to try to say to that bureaucrat: It is none of your business. We will decide how many acres you can use to dump your waste after you have mined on Federal land.

What is it all about? On November 7, 1997, the solicitor of the Department of Interior, Mr. Leshy, issued an opinion enforcing a provision of the 1872 mining law which restricts the amount of public land that can be used to dump waste from hard rock mines.

Now, some of those who support this amendment believe that the 1872 mining law is open to interpretation. Interestingly enough, the other body, the House of Representatives, by a margin of almost 100 Members, said that that interpretation is wrong. They go along with the position supported by the Senator from Washington and myself. With respect to mill site claims, the law states: ''No location made on and after May 10, 1872, shall exceed 5 acres.'' The law allows one 5-acre mill site claim per mineral claim. It means that if you buy, at $2.50 an acre or $5 an acre, the right to mine for these minerals, you can only use a 5-acre plot to dump your waste on the so-called mill site.

The effect of the amendment offered by the Senator from Nevada and the Senator from Idaho is to say: No, you can dump on as many acres as you want to, unlimited. Go ahead and leave the waste behind. Let the taxpayers in future generations worry about the environmental impact and what it does visually to America's landscape.

The Leshy opinion in 1997 simply reaffirms the plain language of the law and prior interpretations by Congress and by the mining industry.

I have in my hand citations of the mill site limitations under the 1872 mining law. I ask unanimous consent to have this printed as part of the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MILLSITE LIMITS UNDER THE 1872 MINING LAW

1872—Mining Law enacted, stating: ''no location [of a millsite] shall exceed five acres.'' 30 U.S.C. §42(a).

1872—One month later, General Land Office issues regulation stating: ''*The law expressly limits mill-site locations made from and after its passage to five acres . . .*'' Mining Regulations §91, June 10, 1872, Copp, U.S. Mining Decisions 270, 292 (1874) (emphasis in original).

1884—Secretary of the Interior rules in J.B. Hoggin, 2 L.D. 755, that more than one millsite may be patented with a lode claim, provided that the aggregate is not more than five acres.

1891—Secretary of the Interior rules in Hecla Consolidated Mining, 12 L.D. 75, that the Mining Law ''expressly limits the amount of land to be taken in connection with a mill to five acres.''

1891—Acting Secretary of the Interior rules in Mint Lode and Mill Site, 12 L.D. 624, that the Mining Law ''evidently intends to give to each operator of a lode claim, a tract of land, not exceeding five acres in extent, for the purpose of conducting mining or milling operations thereon, in connection with such lode.''

1903—Acting Secretary of the Interior rules in Alaska Copper Co., 32 L.D. 128, that the ''manifest purpose [of the millsite provision of the Mining Law] is to permit the proprietor of a lode mining claim to acquire a small tract of . . . land as directly auxiliary to the prosecution of active mining operations upon his lode claim, or for the erection of a quartz mill. . . . The area of such additional tract is by the terms of the statute restricted to five acres as obviously ample for either purpose.''

1914—Curtis H. Lindley writes in the third edition of his oft-cited treatise Lindley on Mines, §520, that a ''lode proprietor may select more than one tract [for a millsite] if the aggregate does not exceed five acres.''

1955—Denver mining attorney John W. Shireman writes in the First Annual Rocky Mountain Mineral Law Institute that ''Each lode claim is entitled to one mill site for use in connection therewith . . .'' Shireman, ''Mining Location Procedures,'' 1 Rocky Mtn. Min. L. Inst. 307, 321 (1955).

1960—Congress amends the Mining Law to allow location of millsites in connection with placer claims. In its report on the bill, the Senate Interior Committee explained that it had modified the language of the bill ''so as to impose a limit of one 5-acre millsite in any individual case preventing the location of a series of 5-acre millsites in cases where a single claim is jointly owned by several persons. . . . In essence, [the bill] merely grants to holders of placer claims the same rights to locate a 5-acre millsite as has been the case since 1872 in respect to holders of lode claims . . .'' S. Rep. No. 904, 86th Cong., 1st Sess., at 2.

1960—The first edition of American Law of Mining (which is written primarily by attorneys for the mining industry) states: ''A mill site may, if necessary for the claimant's mining or milling purposes, consist of more than one tract of land, provided that it does not exceed five acres in the aggregate.'' 1 Am. L. Mining §5.35 (1960).

1968—The American Mining Congress (the leading trade association for the mining industry) presents the following argument for mining law reform to the Public Land Law Review Commission:

''When the mining laws were enacted in 1872, provision was made for the acquisition of five-acre millsites to be used for plant facilities on mining claims. The typical mine then was a high-grade lode or vein deposit from which ores were removed by underground mining. The surface plant was usually relatively small, and acquisition of five-acre millsites in addition to the surface of mining clams . . . adequately served the needs of the mines. . . .

''Today, the situation is frequently different. . . . A mine having 500 acres of mining claims may, for example, require 5000 acres for surface plant facilities and waste disposal areas. It is obvious that such activities may not be acquired through five-acre millsites.''—American Mining Congress, The Mining Law and Public Lands, at 29 January 11, 1968).

1970—An analysis of the Mining Law prepared for the Public Land Law Review Commission by Twitty, Sievwright & Mills (a Phoenix, Ariz. law firm that represents the mining industry) closely tracked the argument by the American Mining Congress two years earlier:

''*When the mining laws were enacted in 1872, provision was made for the acquisition of five-acre mill sites to be used for mining or milling purposes.* The typical mine then was a high-grade lode or vein deposit from which ore was removed by underground mining. The surface plant was usually relatively small, and the surface of the mining claims together with the incident mill sites adequately served the needs of the mines for plant facilities and waste disposal areas.

''Today, the situation is frequently different. The high-grade underground mines have, for the most part, been mined out. Open pit rather than underground mining is, with increasing frequency, the most economical way to mine the low-grade deposits which now comprise a major portion of the reserves of many minerals. The mining industry now relies on mechanization, the handling of large tonnages of overburden and ores and the utilization of large surface plants in order to keep costs down so that these low-grade deposits may be mined and treated at a profit. Such mining operations require not only substantial areas for plant facilities, but much larger ares than formerly for the disposal of overburden and mill tailings. *The surface areas of mining claims and mill sites are no longer adequate for such purposes.* * * *

''If a mineral deposit is partially or entirely surrounded by the public domain, the acquisition of adjacent nonmineral land from the United States for necessary facilities is now frequently extremely difficult because *the laws do not provide a satisfactory way to make these acquisitions. Small areas may be acquired as mill sites,* and in certain instances, if the lands meet the statutory requirement as isolated or disconnected tracts, larger acreages may be acquired at public auction. *Mining companies planning large mining operations have been obliged to meet their needs for nonmineral lands by obtaining the necessary lands by other means.*''

Twitty, Sievwright & Mills, ''Nonfuel Mineral Resources of the Public Lands; A Study Prepared for the Public Land Law Review Commission,'' (Dec. 1970), at vol. 3, pp. 1047–48 (emphasis added).

The Twitty, Sievwright study also states: ''Under the first clause of subsection (a) of [30 U.S.C. §42], *each lode claimant is allowed, in addition to his lode claim, five acres of land to be used for mining or milling purposes.*'' *Id.* at vol. 2, p. 323.

1974—the Interior Board of Land Appeals rules in *United States* v. *Swanson,* 14 IBLA 158, 173–74, that:

[A millsite] claimant is entitled to receive only that amount of land needed for his mining and milling operations, and this amount can embrace a tract of less than five acres. The statute states that the location shall not ''exceed five acres.'' . . . The reference to five acres in the statute is clearly a ceiling measure, not an absolute, automatic grant.''

1977—Salt Lake City mining attorneys Clayton J. Parr and Dale A. Kimball write that ''Theoretically, one five-acre millsite can be acquired for each valid mining claim.'' Parr & Kimball, ''Acquisition of Non-Mineral Land for Mine Related Purposes,'' *23 Rocky Mtn. Min. L. Inst.* 595, 641–42 (1977).

1979—In an analysis of federal mining law, the Congressional Office of Technology Assessment states:

''[I]t is highly doubtful that [millsites] could satisfy all the demands for surface space.There could be at most as many millsites as there are mining claims, and each milliste would be at most one-fourth the size of the typical 20-acre claim, so that the millsites, in the aggregate, would be one-fourth the size of the ore body encompassed by the claims.''

Office of Technology Assessment, *Management of Fuel and Nonfuel Minerals in Federal Land,* at 127 (April 1979).

1984—In the second edition of *American Law of Mining,* Patrick J. Garver of the Salt Lake City law firm Parsons, Behle & Latimer (Mr. Garver is now executive vice-president of Barrick Gold Corp.) writes: ''Uncertainty also surrounds the issue of the amount of land that may be used by millsite claimants.'' 4 *Am. L. Mining,* §110.03[4] (2d ed. 1984).

1984—Salt Lake City mining attorneys Clayton J. Parr and Robert G. Holt write in the second edition of *American Law of Mining:* ''Because of the relatively uncertain tenure of mill site claims, few miners choose mill sites as a location for permanent mining support facilities.'' 4 *Am L. Mining* §110.03[1].

1987—In the revised second edition of *American Law of Mining,* Phoenix mining attorneys Jerry L. Haggard and Daniel L. Muchow write:

''The acquisition of federal lands or interests therein by means other than the locating of mining claims or mill sites is sometimes necessary to provide the additional ground needed for a planned mining operation. The restraints on the number and sizes of mill site claims can limit their usefulness as a land acquisition method.''—4 *Am. L. Mining,* §111.01 (2d ed. rev. 1987).

1997—Solicitor of the Department of the Interior John D. Leshy issues opinion titled ''Limitations on Patenting Millsites Under the Mining Law of 1872.''

Mr. DURBIN. I thank the Chair.

I have quoted the specific words from the mining law of 1872. I can tell Senators that year after year, the 5-acre limitation was restated. There is nothing new about it. In 1872, again, the General Land Office refers to the law expressly limiting mill site locations made from and after its passage to 5 acres.

Twelve years later, in 1884, Secretary of the Interior J.B. Hoggin provided that the aggregate for lode claims is not more than 5 acres. In 1891, similar references; 1903, the same reference is made by the Acting Secretary of the Interior; the area of such additional tract is, by the terms of the statute, restricted to 5 acres. He goes on. In 1914, a treatise on mining by a gentleman named Curtis Lindley:

Lode proprietors may select one tract per mill site if the aggregate does not exceed 5 acres.

In 1955, Denver mining attorney John Shireman writes in the First Annual Rocky Mountain Mineral Law Institute:

Each lode claim is entitled to 1 mill site for use in connection therewith.

In 1960, Congress amended the mining law to allow location of mill sites in connection with placer claims. In its report on the bill, the Senate Interior Committee explained that it modified the language of the bill ''so as to impose a limit of one 5-acre mill site in any individual case, preventing the location of a series of 5-acre mill sites.''

The references go on and on. The American Mining Congress has acknowledged the 5-acre limitation, and of course the branches of government have done the same.

What is in dispute here is, in the minds of a few Senators and the mining industry, the mining process has changed. They want to be able to use more acreage to dump what is left over from this mining process.

It is interesting that the mining industry is so confident that a court would hold up the 5-acre limitation that they have not in any way tested the solicitor's decision in court. They would rather find their friends here in the Senate. That opinion was issued by the solicitor almost 2 years ago.

You will hear a lot of comment—I have heard it in committee—that what Mr. Leshy did in this situation was unfair, illegal, and we are going to stop this bureaucrat from overreaching.

The obvious question is, If it is so unfair and illegal on its face, why didn't the mining industry go to court? They didn't go to court. They went to Congress because they know that their interpretation, their opposition to Mr. Leshy, can't stand up in court.

The Craig rider and now the Reid amendment will allow more dumping of toxic mining waste on public lands and undermine efforts to reform the last American dinosaur, the 1872 mining law.

What can we find in this mined waste? Lead, arsenic, cadmium, in addition to heavy metals. Because of irresponsible mining practices and poor regulation, the mining industry has left behind a legacy of 557,000 abandoned mines in 32 different States. The cost of cleaning up these sites is estimated to be between $32 billion and $72 billion. According to the U.S. Bureau of Mines, mining has contaminated more than 12,000 miles of rivers and streams and 180,000 acres of lakes in the United States.

Let me speak for a moment about the environmental damage. For those who say this is an industry which, frankly, may not cause environmental damage, I hope they will listen closely to what I am about to say: 16,000 abandoned hard rock mine sites have surface and ground water contamination problems that seriously degrade the water around them—16,000 of them. Over 60 of these abandoned hard rock mines pose such severe threats to public health and safety that the EPA has listed them as Superfund priority sites.

There are two or three things that I found incredible that I want to share and make a part of the RECORD.

Each year the mining industry creates nine times more waste than all of the municipal solid waste generated and discarded by all of the cities in the United States of America. In 1987, mines in the United States dumped 1.7 billion tons of solid waste onto our land while the total municipal solid waste from all cities in America totaled 180 million tons.

The second point—and this is hard to believe—each year the hard rock mining industry generates approximately

the same amount of hazardous waste as all other U.S. industries combined—one industry, hard rock mining, generating the same amount of hazardous waste as all other U.S. industries combined. You would think when you listen to the arguments from those who would make this dumping unlimited that this is somehow a passive thing, that it is no threat to the environment.

According to the EPA, the U.S. hard rock mining industry generated approximately 61 million tons of hazardous waste in 1985 compared to 61 million metric tons for all other American industries. And what the Craig and Reid amendment says is, for this dangerous waste, we will now give to the mining companies an unlimited landscape of taxpayer-owned land to dump it.

Although the mining industry claims that modern mines employ state-of-the-art technology that prevents contamination, it is not consistently used or managed properly. Some have said our references to contamination are ancient. In 1995, reporting to Congress on mine waste, the EPA stated not only had past mining activities created a major waste problem, but some of the very waste practices that contributed to these problems were still being used by the mining industry.

What kind of mining pollution? Acid mine drainage generated when rock which contains sulfide minerals reacts with water and oxygen to create sulfuric acid. Iron pyrite, fool's gold, is the most common rock type that reacts to form acid mine drainage. Acid leached from the rock severely degrades water quality, killing aquatic life and making water virtually unusable.

Second, heavy metal contamination is caused when metals such as arsenic, cobalt, copper, cadmium, lead, silver, or zinc contained in excavated rock or exposed in an underground mine come in contact with water. Heavy metals, even in trace amounts, can be toxic to humans and wildlife. When consumed, the metals can bio-accumulate.

Processing chemical pollution occurs when chemical agents used by mining companies to separate the target mineral from the ore—cyanide, sulfuric acid, or liquid metal mercury—spill, leak, or leach from the mine site into nearby waters. These chemicals can be highly toxic to humans and wildlife.

The purpose of the amendment before us now is to expand the opportunity for dumping this kind of waste on public land, creating the opportunities for more environmental disasters and hazards to wildlife and humans as well.

A teaspoon of 2 percent cyanide solution can be lethal to humans; over 200 million pounds of cyanide is used in U.S. mining each year.

I have a lengthy list of examples here.

Gilt Edge Gold and Silver Mine, South Dakota: Shortly after opening in 1988, the Gild Edge gold and silver mine cyanide leaked into the groundwater and nearby streams as a result of torn containment liners, poor mine design, and sloppy management practices. Beginning in 1992 the mine began generating acid mine drainage. As a result of acid drainage from Gilt Edge waste piles, pH measurements in nearby steams in 1994 and 1995 were as low as 2.1 (battery acid has a pH of approximately 1; pure water has a pH of approximately 7.0). Due to pollution from the Gilt Edge Mine, area streams are unable to support viable populations of fish and bottom dwelling invertebrates

Summitville Gold Mine, Colorado: In 1986 Canadian based Galactic Resources opened the Summitville Gold Mine in Colorado. The company characterized the mine as a ''state-of-the-art'' cyanide heap leach gold mine. Immediately after gold production began, the protective lining under the massive heap of ore being treated with a cyanide solution tore, allowing cyanide to leak into the surface and groundwater. The cyanide, acid, and metal pollution from the mine contaminated 17 miles of the Alamosa River. Galactic declared bankruptcy and abandoned the site in 1992. The State of Colorado which had provide scant regulation of the mine asked the Environmental Protection Agency to take over the site under the Superfund program. As of 1996 taxpayers had spent over $100 million to clean up the site.

Iron Mountain, California: Until production was halted in 1963, the Iron Mountain mine produced a wealth of iron, silver, gold, copper and zinc. It also left a mountain of chemically-reactive ore and waste rock that continues to leach enormous amounts of acid and heavy metals pollution into nearby streams and the Sacramento River.

Despite expensive efforts to reduce pollution—Iron Mountain is now on the Superfund National Priority List—enormous amounts of contaminants continue to wash off the site. Each day Iron Mountain discharges huge quantities of heavy metals including 425 pounds of copper, 1,466 pounds of zinc, and 10 pounds of cadmium. Acid waters draining from the site have decimated streams, where the acidity in the water has been measured as low as minus 3 on the pH scale—10,000 times more acidic than battery acid. Streams downstream from the mine are nearly devoid of life. Experts have estimated that at present pollution rates the Iron Mountain site can be expected to leach acid for at least 3,000 years before the pollution source is exhausted.

Oronogo Duenweg Superfund Site, Missouri: Drinking wells near this sprawling complex of lead and zinc mines in Southwestern Missouri have been contaminated by past mining activities.

Chino Copper Mine, New Mexico: The mine has been plagued by spills, leaks and discharges of contaminated mine waste material. Much of the pollution has spilled into Whitewater Creek which runs through densely populated communities. In several incidents in 1987, the mine spilled more than 327,000 gallons of mine wastewater off the site. In 1988 another spill discharged more than 180 million gallons of mine wastewater. More than 90,000 gallons of wastewater were spilled in 1990, and another 120,000 gallons were spilled in 1992.

Brewer Gold Mine, South Carolina: Nearly 11,000 fish were killed in 1990 when heavy rains cause a containment pond to breach, dumping more than 10,000 million gallons of cyanide-laden water into the Lynches River.

DeLamar Mine, Idaho: The DeLalmar silver and gold mine in Idaho has repeatedly dumped heavy metal laced wastewater into nearby streams. Migratory waterfowl have been poisoned by cyanide from its ponds.

Stibnite Mine, Idaho: The Stibnite gold mine has leaked cyanide into nearby groundwater and the East Fork of the Salmon River, an important salmon spawning run.

Ray Mine, Arizona: The Ray Mine was polluted nearby groundwater with toxic levels of copper and Beryllium. In 1990, rainwater washed more than 324,000 gallons of copper-sulfite contaminated wastewater from the mine into the Gila River.

Mr. President, what we are doing today—and I am supporting the amendment of the Senator from Washington, Mrs. MURRAY—is asking the mining industry to take responsibility for their actions, to follow the law as it is clearly written, which limits to 5 acres the mill site, or dump site, they can use for their mining activities. Some of the pictures here—I am sure the Senator from Nevada and others think this picture, as graphic as it is, is ancient. I don't know. There is no date on it, and I won't represent that it is a modern scene, but it shows what unregulated mining has led to. It is a clear indication of a stream that is still in danger because of the pollution from the mining activities.

Modern mining techniques are represented in these photographs, and although they are hard for those following the debate to see, they suggest that when we get into hard-rock mining, we are talking about literally hundreds, if not thousands, of acres that become part of the dump site of this activity. A mining operation, after it has derived the valuable minerals from this Federal public land owned by taxpayers, got out of town and left this behind. So for generations to come, if they fly over, they will look down and say: I wonder who made that mess.

That is as good as it gets under the 1872 mining law. That is a sad commentary. Those who support the Craig-Reid amendment would like us to expand the possibility that these dump sites near the mines would basically be unlimited. They could go on for miles and miles, and we, as taxpayers, would inherit this headache in years to come. There is clearly a need for comprehensive mining reform.

About $4 billion worth of hard-rock minerals—gold, copper, silver, and others—are taken annually from public lands by mining companies without a penny paid to the U.S. taxpayer in royalties—not one cent. That is $4 billion each year out of our land, and not a penny is paid back to the taxpayers.

What would you think about it if your next-door neighbor knocked on the door and said he would like to cut down the trees in your back yard, incidentally, and said he will give you $2.50, and I am sure that is no problem. Of course, it is a problem. It is our property. On that property are treasures of value to us. We are talking about public lands that are our property as American citizens. Those who live in some States believe that that land belongs to them, for whatever they want to use it for. Some of us, as part of the United States of America—''E. Pluribus Unum,'' as it says above the chair of the Presiding Officer, ''of many one''—believe that as one Nation we have an interest in this public land,

an interest that goes beyond giving somebody an opportunity to profit and leave a shameful environmental legacy.

Since 1872, there has been more than $240 billion of taxpayer subsidies to the mining industry.

In 1993, the Stillwater Mining Company paid $5 an acre for 2,000 acres of national forest lands containing minerals with an estimated value of $35 billion. I will repeat that. They gave us, as taxpayers, $10,000 for access to $35 billion worth of minerals. Pretty sweet deal for the mining company. Not for the taxpayers.

In 1994, American Barrick Corporation gained title to approximately a thousand acres of public land in Nevada that contained over $10 billion in recoverable gold reserves. Now, for access to $10 billion on Federal public lands, America's lands, how much did they pay? Five thousand one-hundred and forty dollars. A pretty sweet deal.

In 1995, a Danish mining company—not an American company—successfully patented public lands in Idaho containing over $1 billion worth of minerals, and this Danish company paid the American treasury $275—for $1 billion in minerals.

Due to irresponsible mining practices and poor regulation, the mining industry has left behind a legacy of 557,000 hard-rock abandoned mines in 32 States. As the Senator from Washington said earlier, the estimated cost of cleanup is $32 billion to $72 billion.

If this amendment passes that is being pushed on us today, it means there will be more land to be cleaned up. The estimate of $32 billion to $72 billion will grow as the profits are taken out of America's public lands.

There is one case I would like to tell you about: the Zortman-Landuski Mine. The Pegasus Gold Corporation operated these mines for years using Federal and private lands for mining and waste dumping, accumulating numerous citations for water quality violations. In January of 1998, Pegasus Gold Corporation filed for bankruptcy. The mines are now in the hands of a court-appointed judge. But the story gets better. Cost estimates for reclamation of these lands range from $9 million to $120 million. In other words, if we want to clean up the mess they left behind, it will cost taxpayers $9 million to $120 million.

Keep in mind, the amendment before us wants to expand the opportunity to leave that waste behind. More bills for future taxpayers to pay.

I know you are going to like this part. There are questions about whether the mine's reclamation bonds will be sufficient to pay for the cleanup. Here is where it gets good. In the meantime, Pegasus Gold Corporation has petitioned the bankruptcy court to provide $5 million in golden parachutes for departing executives. The same executives who left this trail of contamination now want to take out of the bankrupt corporation $5 million in golden parachutes because they have done such a fine job for the shareholders. They certainly didn't do a fine job for the taxpayers. They didn't do a fine job when it came to the environment.

If this amendment in the Interior Appropriation bill passes, it is an invitation for more greed and more environmental disasters. The mining industry has to accept the responsibility to come to Washington, deal across the table in a fair manner and in good faith to revise this law so they can pay royalties to the taxpayers for what they draw from this land. Instead, what they have done is try to force-feed through the Interior Appropriations bill a change in the law that will say that the number of acres used for disposal of waste and tailings is unlimited—unlimited.

So we will see further environmental disasters which undoubtedly will occur as a result of it.

The Senator from Washington started with the right amendment, an amendment which recognizes our obligation to future generations. It is not enough to make a fast buck or even to create a job today and leave behind a legacy for which future generations will have to pay. We don't accept that in virtually anything. Businesses across America understand that they have an obligation to not only make a profit, to not only employ those who work there, but to also clean up the mess and not contaminate the environment.

We have said that in a civilized nation it is too high a price to pay for those who just want to glean profits and to leave behind pollution of our air and water and other natural resources. For some reason, many people in the mining industry haven't received that message. They believe they can take the minerals from public lands and leave the environmental contamination behind.

Mr. REID. Will the Senator yield?

Mr. DURBIN. I yield for a question.

Mr. REID. I said in my statement that since I have been here, the 1872 mining law hasn't changed. I meant it had not changed in its entirety. The fact is that we in the Senate and in the House changed the 1872 mining law. It was changed in significant ways, such as passage of the moratorium on patents and a number of things. I didn't want the Senator to think the law hasn't been changed.

I ask my friend from Illinois, what does he think the mining companies should do? Does he think there should be mining to some degree? Can he tell me? I would be happy to translate the message to them. What more does the Senator think can be done than they have done in the past few years?

Let me tell the Senator what they have done. They met with us when we were in the majority. They met with us when we were in the minority. They met with the other side of the aisle when they were in the minority and in the majority. They have agreed to bills. They have agreed to pay royalties.

I say to my friend, what more can they do? They want to be good citizens. They help with things. I can only speak for the State of Nevada. I think around the country they are good corporate citizens. They help with the schools. They pay their taxes. What more should they do?

Mr. DURBIN. I say in response to the Senator from Nevada that I think there is a good starting point. It is existing law that has been there for a long time. They should look at the current law as it applies to those who would mine coal on Federal public lands. If they would follow the standards that apply to the mining of coal, here is the difference. We would have approval by the BLM through a leasing process for the selection of mining sites.

Mr. REID. Could I say to my friend that we have that now?

Mr. DURBIN. What we have now is self-initiation and location under the mining law of 1872 with no BLM approval required.

Mr. REID. That simply isn't true. In fact, I say to my friend from Illinois, the cost of patenting a claim is in the multimillions of dollars now. It is not easy to get through the process that has been set up.

Mr. DURBIN. I say to the Senator that I stand by my remarks. We could certainly resolve this later when we look more closely at the law.

The second thing I would suggest is they pay a royalty. I think it is an outrage that they would pay $2.50 or $5 an acre and not pay a royalty to the taxpayers when they take millions, if not billions, of dollars worth of recoverable minerals out of our federally owned public lands.

Mr. REID. I say to my friend that there is general agreement. The mining companies agree. Eight years ago, we went to conference and agreed to change the amount they paid when a patent is issued.

I also say to my friend that the mining companies signed off on a royalty. That was something initiated here. I have to ask someone here. It passed. I can't tell you that it passed. But it was on the Senate floor that a royalty was agreed to.

I say to my friend that I hope this is the beginning of a dialogue where we can really get something done. There is nobody that I have more respect for than the Senator from Arkansas, who was the spokesperson against mining companies for all the years I was here—the greatest respect in the world. But I say to my friend that he wanted all or nothing, and we kept getting nothing.

I hope my friends will allow us to improve something. We have made very small improvements. I say to my friend that those of us who support mining and the mining companies want changes. They know it doesn't look good, from a public relations standpoint, for them to pay $2.50 or $5 for a

piece of land. They know that. But there was something that passed the Senate which allowed the payment of fair market value. That was turned down in conference.

I say to my friend that I know how sincerely he believes in this. I will give him the line and verse. In fact, the Forest Service handbook talks about this very thing. In effect, the solicitor's opinion overruled their own handbook. I hope this will lead to improvement of the law. We all recognize it needs changing. I am willing to work with the Senator in that regard.

Mr. DURBIN. I thank the Senator from Nevada.

Mr. REID. I thank the Senator for allowing me to interrupt. I appreciate it very much.

Mr. DURBIN. I thank the Senator from Nevada, because I believe the statements he made are in good faith and reflect where we should be. We should be sitting down and rewriting this law that is 127 years old instead of having other environmental riders in an Interior appropriations bill. We should be looking to the royalty question, which is a legitimate question that every taxpayer should be interested in instead of saying we are going to take the limitation of the acreage used by mining companies that dump their waste.

I think that is a legitimate concern. Maybe 5 acres isn't enough. But I also think it wouldn't be unreasonable to say to the mining companies: If we give you additional acres for mill sites, we will also require you to reclaim the land so that you can't leave the mess behind.

That is part of the law when it comes to coal mining on Federal public lands. Why shouldn't it be the case when it comes to hard-rock mining?

How can they step away from this mess and say: Frankly, future generations will have to worry about it, and we will not. Mandatory bonding, detailed permitting reclamation, mandated inspections—things that are part of the law when it comes to mining coal—should be part of the law when it comes to hardrock mining.

I reject the idea that we will come in with this bill and make amendments friendly to the mining industry but not hold them to any new standard when it comes to reclamation or royalties. I think the taxpayers deserve better. I think the environment deserves better.

That is what is necessary in this debate. We have seen it, first, on the emergency appropriations bill, where a similar provision was put forward for one mining operation in the State of Washington. Now, if this amendment goes through, we have literally opened the door for mining operations across the United States to literally use as much acreage as they want for their mill sites.

Mr. BURNS. Will the Senator yield for a question?

Mr. DURBIN. I would be happy to yield.

Mr. BURNS. I ask my good friend from Illinois, what environmental law? What environmental law are we talking about here?

Mr. DURBIN. We are talking about the 1872 Mining Act.

Mr. BURNS. That is not an environmental law.

Mr. DURBIN. I would suggest to the Senator that it has an impact on the environment.

Mr. BURNS. What environmental law are we talking about here?

Mr. DURBIN. I have responded to the Senator. If he has another question, I will be happy to answer it.

Mr. BURNS. What environmental law? Is it the Clean Water Act? Is it the Clean Air Act? Is it the National Environmental Policy Act? Is it the National Federal Lands Management Act? What environmental law is the Senator talking about when he refers to environmental law?

Mr. DURBIN. I am talking about the 1872 Mining Act.

Mr. BURNS. I suggest to the Senator that is a land tenure law and subject to all of the environmental laws. The miners are not exempt from them.

I thank the Senator.

Mr. DURBIN. I say to the Senator from Montana, I think he knows well the environmental laws which we mentioned are not applied seriatim to all of these mining claims, and that is why we have the environmental contamination which we have today. That is one of the reasons why it is there. If we are going to have a mining law, I think we need one that talks not only about the profitability of the venture but about the environmental acceptability of this venture. That is the difficulty we run into.

I suspect that the mining industry may want to talk about more acreage for mill sites and dumping but may not be as excited about an environmental response bill. That is part of the discussion, as I see it. Sadly enough, this amendment, which has been added to the Interior appropriations bill, addresses the profit side of the picture and ignores the environmental and taxpayer side of the picture. That, to me, is shortsighted and something that should be defeated.

The fact that this was done in committee and has at least been attempted in the past is a suggestion to me that the mining industry, even with the Republican majority in the House and the Senate, really hasn't gone to the authorizing committees for the changes which have been suggested on the floor. I think they should. I think it is certainly time, after 127 years, to update this law.

In closing, if we are going to change this law and change it in a comprehensive and responsible way, let us do it through the regular authorizing process.

It is interesting to me that yesterday we had a fierce debate on the floor about rule XVI, and we said of rule XVI: We will not legislate on appropriations bills. Of course, there are always exceptions to every rule.

In this case, because there was a reference to the mining act in the bill coming over from the House, they were allowed to offer this amendment. As Members may glean from the length and breadth of this debate and its complexity, we should not be putting this environmental rider on an appropriations bill at the expense of the environment and the taxpayers.

I say to the mining industry, a legitimate industry employing many hardworking people, certainly the things which are done are important to America's economy and its future, but it is not unreasonable for Americans to think that we have a vested interest in our own public lands. Companies cannot leave behind this legacy of waste. Unlimited acreage being used for dump sites is not being held accountable.

This amendment, if it passes, will say to these mining companies: These hard rock mining companies will not be held accountable. Use as much of America's land that is needed to dump your waste after you have mined the minerals. As taxpayers, we will accept it.

For this Senator from Illinois, the Senators from Washington and California and many others, that is unacceptable.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, let me speak directly to the Senator from Illinois, the Senator from Massachusetts, and the Senator from Washington. I have heard statements from the Senator from Illinois that I know he means in good faith but I think are wrong. The record must be corrected in that regard. The law does not allow many of the things he has suggested might happen.

For example, tonight he suggested that the Craig-Reid amendment would allow unlimited surface land domain. That is simply not true. Let me repeat for the record, that is an inaccurate statement.

Here is what the law allows today and what the Reid-Craig amendment does: It simply reinstates the law as it exists today. The Senator from Illinois is absolutely right as to what the 1872 mining law says as to the 5 acres per claim. However, what attorneys have said who were brought before the subcommittee that I chair, while that was the law, it was based on the concept of the Comstock Lode, which was the mining activity in the State of Nevada that generated the 1872 mining law. From that time forward to today, it was viewed in the law as a minimum necessary requirement.

What the Senator from Illinois did not say, which refutes the idea that this is some kind of unlimited land surface grab, is the BLM, the administrator of claims on public land, in the

process of working with a mining company that is establishing a mining operation establishes the 5 acres and additional acres as is necessary to conduct that mining operation.

What does that mean? That does not mean unlimited acreages. It means exactly what I said it means. It means that the Bureau of Land Management develops a mining plan consistent with the mining operation all inclusively consistent with the Clean Air Act and the Clean Water Act for a mining company to effectively mine the mineral estate they have established under the mine plan and with their permit. That is not unlimited. It is our Federal Government. The BLM under the law establishes the surface domain that a mining company can have for the purpose of operations.

Is that unlimited? I repeat to the Senator from Illinois, no, it is not. It is restricted by the character of the process and by 127 years of operation. That is what it is. That is what we are attempting to reinstate.

The Senator from Illinois went on to say: Why didn't they go to the courts? Why have they come to Congress? The reason they have come to Congress is because the act of the Solicitor would be automatic and immediate. The Senator from Nevada earlier spoke to the consequence of this decision.

Mining stock in this country dropped by a substantial percentage point on the stock exchange because the Solicitor's opinion was saying if it were fully implemented both prospectively and retroactively, it would dramatically halt existing mining operations and cost mining companies that were operating under good faith, the law, and the historic practice as prescribed by the Forest Service and the BLM, by their manual, and by their current handbooks, it would have simply stopped them, and they would have waved literally hundreds of millions of dollars in the process of developing a mining plan that was environmentally accurate and environmentally sound.

I know the Senator from the State of Washington is upset because the crown jewel mine in her State was, by her own State's environment director, announced to be the best ever; that they had met all of the environmental standards; they were complying with all the Clean Air and Water Act and somehow the Solicitor stepped in and stopped the process.

The senior Senator from the State of Washington and the supplemental appropriations bill this year said it is just blatantly unfair for a company to operate in good faith under the law and under the environmental laws of our country. For the Solicitor, an appointed bureaucrat, to step in and stop them without any public process is against the very character of the law we create on this floor.

So the senior Senator from the State of Washington was right in doing what he did. At that supplemental appropriations conference, while I was trying to do exactly what the Senator from Nevada and I have just done with this amendment, we said: No, let's not do that.

I chair the Public Land Subcommittee, the mining subcommittee. Let's hold hearings on this issue. Let's see if the Solicitor is right in doing what he has done. We brought in mining authorities, lawyers who practice this law professionally full time before the committee, asking if the Solicitor was right in doing what he did. Their answer was absolutely not; 127 years of practice would argue that the Solicitor reached out in thin air and grabbed an opinion that he knew would bring the mining industry to its knees.

Why would he know it? Surely, he wouldn't do it arbitrarily or capriciously. Surely, he wouldn't do that for political purposes. Want to bet? Let me state why he did it. Let me speak to Members in Mr. Leshy's own words, words written in his own book, called ''Reforming the Mining Law: Problems and Prospects.'' This Solicitor knew exactly what he was doing. He did it for political purposes. He did not do it for the kind of benevolent, benign, environmentally sound reasons that the Senator from Illinois suggested.

The Solicitor said:

> A hoary maxim of life on Capitol Hill is that Congress acts only when there is either a crisis or a consensus.

The Solicitor at the Department of Interior attempted to establish a crisis in the mining industry with the mining law.

He went on to say:

> Currently there is no genuine crisis involving hardrock mining—

although the Senator from Illinois worked for about an hour to gin one up—

> but with a little effort crises sufficient to bring about reform might be imagined.

That is what the Solicitor said when he was a private citizen environmental advocate against mining.

So then he went on to say:

> At the extreme, it might even be appropriate for the Interior Department and the courts to consciously reach results that make the statute unworkable.

The Solicitor himself in a former life, in 1988, said: You know what we could do? We could create a crisis and make the statute unworkable, and we would force the Congress to change the law. And then all of a sudden John Leshy was no longer private citizen, environmental advocate; he was public citizen appointed Solicitor of the Department of Interior. And what did he do? He followed his own words and his own edicts. He attempted to create a crisis. And a crisis it was, and we have spoken to it already, the crisis that tumbled mining stock dramatically in the stock markets of this country.

A message went out to the mining industry: You are not only unwelcome on public lands, we are going to try to run you off from them. That is a hundreds-of-millions-of-dollars industry, with tens of thousands of employees across this country, yet the Solicitor, a nonelected public official with no public process, did this. The Solicitor's opinion was not subject to public comment or review. The Department of Interior failed to provide a forum for interested parties to express their views. The Solicitor's opinion is a change in the law that the administration made without any kind of review. It just simply said: That's the new law. And I say ''new law'' because for 127 years the Department of Interior, the BLM, and the Forest Service operated under the law that Senator REID of Nevada and I are attempting to reinstate this evening. That is what the Solicitor did.

Mr. KERRY. Mr. President, may I ask my colleague how long he will be going, just so I can plan accordingly?

Mr. CRAIG. Probably for about another 10 or 15 minutes.

Mr. KERRY. I thank my colleague.

Mr. CRAIG. The Solicitor went on to say:

> Some particularly dramatic episode that highlights the particular anachronisms of the Mining law might also encourage Congress to perform surgery on the Law.

That is what the Solicitor said, and that is what the Solicitor did.

What John Leshy failed to say is that over the years he and I have met around the country, debating, and he has wanted to change the mining law in such a dramatic way that the mining industry of this country simply could not operate.

The Senator from Illinois suggested we ought to change the law. You know, he is right. As chairman of the Public Lands Subcommittee and as chairman of the mining committee for the last 5 years, I say to the Senator from Illinois, we have tried to change the law. We even brought it to the floor once, passed it in a supplemental, and guess what happened. President Clinton vetoed a major change in the 1872 mining law. What did that law have in it? Major reclamation reform. It had within it a hard rock mining royalty that would have funded that reclamation reform so if mine industries went bankrupt, there was a public trust provided by the mining companies to do that kind of reclamation reform. But this President and his Solicitor will not allow that kind of reform to happen.

I have worked in good faith, and, I must say, the Senator from Nevada has, for the last 5 to 6 years to make significant change in the 1872 law. We recognize the need for its modernization. That is not denied here. But what you do not do is the very backdoor, unparticipatory, nonpublic effort of the kind the Solicitor did.

The Senator from Illinois talked about the degradation that happened in his State. What the Senator did not say is, it does not happen anymore. The reason it does not happen anymore, and the reason he should not use it as an example, is that there is a law that disallows it today. There is full mine reclamation on surface mining, especially in the coal industry.

So let me suggest to the Senator from Illinois, let's talk today and not 50 years ago, when he and I would both agree those kinds of practices now are unacceptable. They may have been acceptable then, but they are not acceptable now. In fact, the Senator from Illinois held up a picture. He did not quite know where it was. I will tell him where it was. It was in the State of Montana. I have been to that site. I have traveled and seen these problems. Three times we tried to get that issue in Montana cleaned up. Environmental groups stepped in and sued.

You kind of wonder if they do not want the issue instead of a resolution to the problem. We have worked progressively with them to try to reform the 1872 mining law, and in all instances they have said no. Here is why they said no. They said: We don't want you to have the right to go find the mineral if you find it in a place in which we don't want you to mine.

That is an interesting thesis because gold is, in fact, where you find it. It is not where you might like to have it for environmental reasons. What do we do with a thesis like that? We say OK, gold is where you find it, silver is where you find it, but because of our environmental ethics and standards today, you have to do it in an environmentally sound way.

That is what you have to do. You have to comply with the Clean Air Act. They did in the State of Washington. You have to comply with the Clean Water Act. They did in the State of Washington. You have to meet all the State standards—tough standards in the State of Washington. You have to meet all the Federal standards—tough standards in the State of Washington.

That is what the Crown Jewel Mine did. And yet, at the last moment, in the 12th hour, by pressure from environmental groups, Mr. Leshy came out of his closet and said: No, you can't. And the senior Senator from the State of Washington said: Wrong, Mr. Leshy. That is not the way a democracy works. That is not the way a representative republic works. If they played by the rules and they played by the law, then they must have the right to continue. That is the issue we are talking about. We are talking about dealing fairly and appropriately with the law.

Let me go ahead and talk about Mr. Leshy some more because he is being talked about tonight as the savior of the environment. Let me tell you what he is really out to do. It is not to save the environment but to destroy the mining industry. He has worked for decades with this goal in mind. What did he say in this book he wrote in 1988? What he said was:

> Bold administrative actions, like major new withdrawals, creative rulemaking or aggressive environmental enforcement, could force the hand of Congress.

Mr. Leshy is right. He forced the hand of Congress. The Senator from Washington and I discussed this briefly in the Appropriations Committee.

I do not stand tonight to impugn the integrity or the beliefs of the Senator from Illinois or the Senator from Washington or the Senator from Massachusetts. But it is important that when you say unlimited withdrawal of surface, I say it is wrong, because it is not right; that is not what the law allows. The Department of Interior does not allow that unless it is within the plan, unless it is bonded, unless it meets all the environmental standards, and it is proven to be required by the mining operation as appropriate and necessary.

Those are the laws as we deal with them today.

I suggest the Senator from Montana was absolutely right. I am talking about reforming the 1872 mining law. It is a location and a withdrawal law. It is not an environmental law. Modern mining companies must adhere to the law, and that is the Clean Air Act, and that is the Clean Water Act, the National Environmental Policy Act, and all of those that are tremendously important. That is what we debate here this evening, and that is why it is critically important that we deal with it in an upfront and necessary manner.

Mr. DURBIN. Will the Senator yield for a question?

Mr. CRAIG. I will be happy to yield in a moment.

I would like to reform the 1872 mining law, and I would like the Senator from Illinois to help me. The Senator from Nevada has stood ready with me for now well over 5 years for that purpose, only to be denied it by this administration. They kept walking away from the table. They would very seldom come and sit down with us. I must tell you, I do not know why. I ultimately had to draw the conclusion that they preferred the issue over the solution because it was our effort in the State of Nevada, a very important mining State for our country, and my State of Idaho, a very important mining State, that we resolve this issue. That, of course, is why I think it is necessary.

A mining claim is a parcel of land containing precious metal in the soil or the rock. That is what a claim is.

A mill site is a plot of ground necessary to support the operations of a mine. That is what a mill site is.

Mill sites are critical to mining because, amongst many uses, they hold the rock extract, that which is brought up out of the ground from the diggings of the mine, containing milling facilities that extract valuable minerals from the ore and provide a location to house administration and equipment and repair and storage facilities.

Let me suggest a comparative to the Senator from Illinois. If I bought a half acre of ground in downtown Chicago for the purpose of building a 50-story building, and they said I could go down 50 feet and establish parking, but I could not go up any, and I was not given any air rights, then I could not build the building. I could acquire the property and I could dig down, but I could not go up.

That is exactly what the Senator is suggesting tonight, that you can gain a mining claim under the law but you cannot build a mill site because 5 acres, I think as most of us know, is a fairly limited amount of ground, and that is exactly what the Federal Government has recognized for 127 years.

As a result of that, what the Government has said is, if you meet these standards and you incorporate it in a mining plan, you can have additional acres we will permit you for that purpose. Is that unlimited? I say to the Senator from Illinois, it is not. To suggest to anybody in the BLM, including this administration's BLM, that they give carte blanche acreages of land to mining companies is, in fact, not true. That is the reality of working with the BLM. Whether it is a Republican BLM or a Democrat BLM, both administrations, all administrations, have adhered to the law. It is important that the law not be misrepresented.

I suggest to the Senator from Illinois that mining is not necessarily a clean business. Digging in the ground is not necessarily a clean business. It is not environmentally pristine. That is the character of it. There are few businesses where you disturb or disrupt the ground that are. It is how you handle them after the fact with which I think the Senator from Illinois, the Senator from Washington, the Senator from Massachusetts, and I would agree. I hope they do not want to run the mining industry out of our country. We already have substantial exodus from our country because of costs of mining based on certain standards. They all attempt to comply.

The greatest problem today is access to the land. The Senator from Illinois does not have any public land in his State, or very limited amounts. My State is 63 percent federally owned land—your land and my land. I am not suggesting that it is Idaho's lands, nor would the Senator from Nevada suggest that only Nevadans ought to determine the surface domain of the State of Nevada. We understand it is Federal land.

Nevadans and Idahoans and Americans all must gain from the value of those resources, but we also understand that they must be gained in an environmentally sound way. We have worked mightily so to build and transform a mining law for that purpose. I must tell you that the Solicitor, both as a private citizen environmental advocate and now as a public citizen Solicitor, has fought us all the way, because he wanted a law that fundamentally denied a mining company the right of discovery, location, and development unless it was phenomenally limited. Those are the issues that clearly we deal with when we are on the floor.

Let me say in closing, Mr. President—and it is very important for the Senators to hear this—we are not

changing the law. We are simply saying: Mr. Leshy, you do not have it your way until policymakers—the Senator from Illinois and the Senator from Idaho—agree on what the law ought to be. That is our job; that is not John Leshy's job. Ours will be done in a public process with public hearings and public input and not in the private office of a Solicitor down at the Department of Interior who, in the dark of night, slips out and passes a rule and the stock market crashes on mining stock.

I do not think the Senator from Illinois would like that any more than we would if we did it to major industries in his State, because he and I are policymakers and we should come to a meeting of the minds when it comes to crafting reform of the 1872 mining law. That is what I want to do. I hope that is what he wants to do.

Are we legislating on an appropriations bill? No. We are saying: Mr. Solicitor, you do not have the right to change the law. We will leave the law as it is, as the current 1999 or 1998 handbook at BLM says it is, as the current handbook down at the Forest Service says it is, and that is the handbook a mining company uses to build a mining plan, to build a mining operation. He said at the last hour: The handbook is no good even though we wrote it, even though we OK'd it, and even though that is the way we operate.

I do not think so. We now know why. Because, for goodness sake, we read his book, the book he crafted in 1988 saying: Let's create a crisis, let's bring the mining industry to its knees, and just maybe then we will get the Congress to move.

I heard John Leshy in 1988 and again in 1990, as did the Senator from Nevada. We worked mightily to change the law, and we are still working to do it. We have not been able to accomplish that. I hope we can, and we will work hard in the future to do that. But I hope my colleagues and fellow Senators will support us tonight in leaving the current law intact and not allowing this administration, or any other one, through their attorneys, to arbitrarily change a law without the public process and the public input that the Senator from Illinois and I are obligated to make, and yet tonight he defends the opposite. I do not think he wants that. I do not think any of us want a private process that will deny the right of public input.

Mr. REID. Will the Senator yield for a question?

Mr. CRAIG. I am happy to yield.

Mr. REID. The reason I ask the Senator to yield is, the two leaders, I am sure, are curious as to how long we are going to go with this. There are a number of people who wish to speak. I am wondering if there is any chance we can work out some kind of time agreement on this on the minority side and majority side.

Mr. CRAIG. Let me say to the Senator from Nevada, I am ready to relinquish the floor. The Senator from Massachusetts has been waiting a good long while. I will work with the Senator from Washington. It is certainly her amendment. We have second-degreed it. If we can arrive at a time agreement, I would like to do so to accommodate all who have come to speak on this issue. It is important that they have that opportunity.

At the same time, we want to finish this before the wee hours of the morning, and we want to conclude it either with a vote on the second degree, or, if that is not going to happen, if we cannot arrive at something, we will want to look at finalizing this by a tabling motion. Let me work with the Senator from Washington.

Mr. STEVENS. Before the Senator yields the floor, will he yield for a question?

Mr. CRAIG. I will be happy to yield the floor.

Mr. STEVENS. I have been listening to the debate, and it has primarily been proponents of the amendment. I am willing to have some time. We should have a time certain to vote. I hope there is going to be some accommodation for those who have been waiting for these opening speeches to end. I will be more than willing to set a time, such as 8 o'clock, to vote, provided we get some time to respond to the statements that have already been made.

Mr. CRAIG. I say to the Senator from Alaska, I am going to relinquish the floor and sit down with the Senator from Washington to see if we can work out a time agreement to accommodate the Senator's concern. I hope we can shoot for the 8 o'clock hour or somewhere near that, recognizing everyone's right.

Mr. REID. Will the Senator yield for another question?

Mr. CRAIG. Yes.

Mr. REID. I say to my friend from Idaho and to the Senator from Alaska, there has been a debate on both sides. It has not been dominated by the proponents of the underlying amendment. There has been a good discussion here.

Mr. STEVENS. Maybe I was just listening at the wrong time.

I thank the Chair.

Mr. CRAIG. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BURNS. Mr. President, will the Senator yield so I can propound a unanimous consent request?

Mr. KERRY. I yield.

Mr. BURNS. I thank my friend from Massachusetts.

PRIVILEGE OF THE FLOOR

Mr. BURNS. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Terry L. Grindstaff, a legislative fellow in my office, during the debate of the Interior appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURNS. I thank my friend from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. I thank the Chair.

Mr. President, I have listened with interest to the debate for some time now, and I listened with great interest to the Senator from Idaho. After listening to the Senator from Idaho, I really believe the fundamental confrontation here was not addressed by the Senator in his comments. He made a lot of references to the Solicitor of the Department of the Interior and to the decision that he alleges was made in the dead of night and that we should not rush forward with a sudden decision by a bureaucrat to change the how we regulate mining on public lands and the relationship between mining companies and the Bureau of Land Management and the Congress.

Let's try to deal with facts. Let's try to deal with the reality of the situation rather than obfuscating and avoiding the confrontation that has been going on in the Congress for a long period of time.

This is not something that is happening just at the whim of a bureaucrat. This is not something that is happening this year, now, suddenly for the first time. There has been a 10-year effort to try to change how we regulate mining in this country, and every time we get close to accomplishing that, some argument or another is used to try to avoid making the right choice—the choice that is part of the original law itself on which all of this is based.

That law is the Federal Land Policy and Management Act of 1976 by which the BLM published its current regulations in 1980. Those regulations are required under the law. It is the law of the land that the Secretary of the Interior must take any action necessary, by regulation or otherwise, to prevent unnecessary or undue degradation of public lands. That is the law.

The Secretary is required to take action to prevent undue or unnecessary degradation of the public lands. We have been debating in the Congress, as long as I have been here, the level of degradation that is taking place, and its impacts, as a result of the hard rock mining.

The BLM published regulations in 1980. They became effective in 1981. That was the first attempt of the BLM to try to provide some kind of effective management ever since the mining law of 1872. A review was supposed to take place 3 years later. That review never took place. But in 1989 a task force was created, and a rulemaking was begun in the Bush administration to consider amendments of the 3809 regulations. The fact is, there was a failure to enact that. Why? Specifically, to give Congress the opportunity to develop its own reform and pass it.

Contrary to what the Senator from Idaho said about secret, last-minute meetings, the fact is that in the 103rd Congress Senator Bumpers introduced

legislation. Representative NICK RAHALL of West Virginia introduced legislation, and the House passed his legislation by 316–108. One of the major concerns of those who opposed the measure was that it included an 8-percent royalty on net smelter returns, which would have, according to the arguments of some, and I suspect that includes Western Senators and Representatives, made some mines uneconomic.

So we go back to 1993 when legislation was introduced that would have instituted the very royalties that we were just heard the opponents of the Murray amendment tell us they would accept. But they fought the royalties, and they fought the bill, and the bill died.

Two less comprehensive and almost identical bills were introduced in April of 1993. In those, patents were to continue to be an option, but patent fees were going to reflect the fair market value of the surface estates. A 2-percent net value mine mouth royalty was going to be imposed. In the Senate that year, there was an industry-backed bill. That was passed by the Senate in May of 1993, but once again it was stopped dead because the House and Senate conferees could not bridge the gap between the industry-backed legislation and the environmentally-backed legislation. It died.

In the 104th Congress the Mineral Exploration and Development Act of 1995 was introduced by, again, Representative Rahall and others to overhaul the mining law. That was almost identical to the bill the House passed in the 103rd Congress.

Three mining reform bills were introduced in the Senate. One was introduced by Senator CRAIG. It was supported by the mining industry. Another was introduced by Senator Bumpers. The one introduced by Senator CRAIG more closely resembled the Rahall bill. The bill Senator Bumpers introduced was supported by most of the environmental and conservation community. And a third bill was introduced by Senators Johnston and CAMPBELL that resembled a later version of what then-Chairman Johnston incorporated into the conference debate.

But again no further action was taken. Why? Because once again the industry refused to accept some of the provisions that included to protect the land adequately, including clean up, holding sufficient bonding, do the things necessary which the Senator from Nevada has offered to do on the floor tonight. But there is a long legislative history of the opponents of the amendment refusing to do that. That is why the Bureau of Land Management has finally come to the point of saying we have to do something. And what they are doing is justified.

Since 1980, the gold mining industry in the United States has undergone a 10-fold expansion. I know it is now on facing many challenges as the world market for gold has pushed prices down, but nevertheless, it has grown substantially over the past two decades. Many of those gold mines are located on the public lands that we are suppose to be protecting. Much of this increased production comes from the fact that, as a result of new discoveries and technologies, you can mine ore of a much lower grade. Mine operations are able to move millions of tons of material and move it around the landscape to produce just ounces of gold. The new techniques use cyanide and other toxic chemicals for processing.

In short, even though I agree that we are more environmentally concern today than in years past, the fact is that today's mines have an even greater capacity to cause environmentally negative impacts. We did not hear the Senator from Idaho talk about how we are going to ensure that these mine clean up. Of course, there is an economic impact in trying to clean up a mine. But, I respectively as my colleagues that they don't come to the floor of the Senate and start complaining that suddenly a bureaucrat is coming in the dead of night to do what we have been fighting to do for 10 years in the Senate, and what I think most people understand is a huge struggle between those who want to protect the lands adequately and those who want to continue the practices that are endangering them.

The fact is—and this is a fact—this provision is simply the latest addition in a series of riders that have prevented the Clinton Administration from enforcing the 1872 mining law and reforming the sale of our Nation's mineral assets.

Coal does not get the privileges of hard rock mining. Oil and gas do not get the privileges of hard rock mining. It is absolutely extraordinary that at a time when Senators will come to the floor of the Senate and talk about giving money back, in tax cuts, to the citizens of this country, who deserve the money, that they will vote against giving them the money they deserve from the land that they own. This land belongs to the American citizens, and it is nearly being given away, without royalties, to mining companies that leave behind devastation. The are not paying their fair share, not just for cleaning it up, but also on the gold, silver and other minerals that they profit from, and that Americans own. I think it is the wrong way to legislate the priorities of our lands and the protection of them.

The Bureau of Land Management tried to update environmental protections in 1997. Respectfully, I ask that my colleagues not come to the floor and tell us that this all of this happened in the dead of night or some secret effort. The Clinton Administration tried to enact some reforms in 1997, and they were blocked by a rider on an appropriations bill. It was stopped again by a rider in the 1998 Interior appropriations bill that prohibited them from issuing proposed rules until the Western Governors were consulted and, then, until after November of 1998.

Here we are in July of 1999. The BLM satisfied the requirements of that rider of 1998.

They then resumed the rulemaking process. It wasn't in the dead of night. It wasn't a surprise. The Clinton Administration, again, took up the rulemaking after they had been required to consult with the western Governors. The BLM satisfied that. But then they were stopped again by a rider in the fiscal year 1999 omnibus appropriations bill calling for a study by the National Academy of Sciences and delaying the rules at least until July, which is where we are right now. However, not even that was enough. In February of this year, the BLM issued proposed rules, and it entered a public comment period, not the dead of night, not some surprise effort by the rulemakers. They were proceeding according to how Congress had told them to proceed. And then another rider was inserted into the year 2000 supplemental appropriations bill so that we could further delay the rulemaking process.

Now we are considering a fourth rider, the fourth rider for the mining industry since 1997 in the fiscal year 2000 Interior appropriations.

While these riders are slightly different legislatively, they have all protected a flawed system that continues to allow us to sell an acre of land for as little as $2.50; $2.50 for an acre of land to go in and mine thousands of dollars of worth minerals and possibly cause excessive environmental damage, certainly alter the landscape in a dramatic way.

I am as strong an admirer of the Senator from Nevada as anybody in the Senate. He is a friend, a good friend. He is representing his State and he has to. He has 13,000 miners there. But one has to wonder about the cost of reclaiming the land and who will pay it. At some point we may find cheaper for the United States of America to pay those miners not to mine than to pay for the kind of environmental damage that has been presented here today by the Senators from Washington and Illinois. Rivers have been ruined, the toxics spilled into the environment. What is it, $32 billion to $72 billion is the estimated cost of cleaning up chemicals that have been released in these operations and other environmental damage to drinking water and water systems. It is cheaper to tell them not to do it than to continue to do this.

What are we doing? Well, we have a law, the 1872 Mining Law, that restricts each mine claim of up to 20 acres to a mill site of 5 acres to dump waste and process material.

In his decision, the Solicitor did not amend, he did not reinterpret the law. Even the mining industry has agreed that the 5-acre mill site limit is the law, I point to an article from 1970 when a law firm representing the industry openly concede that point. They may argue a different case now, but before this opportunity presented itself,

the mining industry agreed. All the Solicitor did was recommend that the BLM start enforcing this provision again. That is all. Enforce the provision.

Mr. REID. Will my friend yield for a parliamentary inquiry?

Mr. KERRY. I will for the purpose of a parliamentary inquiry.

Mr. REID. I say to my friend, we have talked, and we would like to vote at 7:35 or 7:40. What we are going to do is divide the time between now and then between the proponents and the opponents of this particular amendment. There will be, near that time, a motion to table that will be initiated. Could the Senator indicate about how much longer he wishes to speak?

Mr. KERRY. Mr. President, I can't. I want to speak my mind on this issue. Although I am one of the original cosponsors, I can't speak for the lead sponsor. I don't know if there are other Senators on our side who would like to speak. You have the right to table.

Mr. REID. We know the Senator from Washington wishes to. We want to try to be fair.

Mr. KERRY. I don't imagine I will go more than 10 minutes or so. I don't know what the Senator from Washington needs.

Mr. REID. We could go until 7:40, which leaves 35 minutes.

Mrs. MURRAY. Mr. President, I believe the Senator from Massachusetts has the floor, but if I may clarify, is the Senator asking to divide the time equally between now and 7:40?

Mr. REID. Yes.

Mrs. MURRAY. I will not object to that.

Mr. REID. Divided equally. I ask unanimous consent, Mr. President.

Mr. STEVENS. Just a minute. I don't understand the division of time.

Mr. KERRY. Mr. President, reserving my right to reclaim the floor.

Mr. REID. The Senator has the floor. I say to my friend from Alaska, we would divide the next 35 minutes between the proponents and opponents. There would be equal time. I checked with the other Senator from Alaska and he thinks that is okay.

The PRESIDING OFFICER (Mr. ALLARD). Is there objection? Without objection, it is so ordered. The Senator from Massachusetts is recognized.

Mr. KERRY. I thank the Chair.

The BLM is simply seeking to enforce the existing law once again. No reinterpretation, no change. This is not a far reach. This is existing law, which, as I say, very clearly in 1970 and in other times has been acknowledged as the law even by the mining industry itself.

It was likely under pressure from the mining industry in the 1960s and 1970s that the Federal Government started to overlook the provision and permitted mining operations to use more than the single 5-acre mill site. What we are saying is that was a mistake of enormous environmental and fiscal consequences.

The BLM ought to enforce the law. It is one of the few protections that we have.

Let me try to share with colleagues what the consequences of the current law are, why it needs reform and why it should be enforced. According to an editorial in the USA Today newspaper, in 1994, a Canadian company called American Barrick Resources purchased 2,000 acres of public land in Nevada that contained $10 billion in gold. How much do you think they paid for the 2,000 acres and the $10 billion of gold? They paid $10,000.

Every time in the last few years that we have tried to have a fair meeting of the minds on the subject of what is an appropriate royalty or what is an appropriate bonding, it hasn't worked. It is public land. There ought to be requirements, more than we have now, for a mining company that wants to mine public land, take out billions of dollars of gold, and pay the taxpayers only $10,000. They don't say to you: We are going to degrade the land, damage rivers and leave the place unusable for other purposes.

If they said that, do you think anybody in the Senate would stand up and vote for it up front? No. But you are voting for it. That is the effect of what happens here, unless we turn around and say, no, we are going to enforce the law.

I understand the economics of this, but one of the problems we have across the board nationally and globally is that we don't value the environmental impact on the cost of goods. Nobody wants to be responsible for doing that, for incorporating in the cost of a product the cost reducing our national resources. So we keep doing things that actually cost us an awful lot more, but it is never reflected in the cost of the product. But we pay for it; the American taxpayer pays for it.

The environmental toll is high. Over 12,000 miles of streams have been destroyed, according to the Mineral Policy Center, which is group expert in the impacts of mining. I don't understand how we can risk, especially in the West where water availability is a problem, polluting our watersheds this way. We have one major, enormous reservoir for water for the United States under most of the mid-central section of the nation. We are increasingly depleting that reservoir of water. And we are currently, mainly through agriculture, using that water at a rate exceeding its resupply. We can't afford to destroy 12,000 miles of streams.

What is the economic value of those streams? Has anybody calculated that?

Has anybody calculated the economic value in the cost of lost drinking water because of chemical that contaminated it? This is a matter of common sense, and we are not exhibiting that kind of common sense as we approach it. The fact is that there are almost 300,000 acres of land owned by the citizens of the United States of America, public land that has been mined and left unreclaimed. Abandoned mines account for 59 Superfund sites. There are over 2,000 abandoned mines in our national parks. The Mineral Policy Center estimates the cleanup cost for abandoned mines, as we mentioned earlier, is at the high end, $72 billion, and at the low end, $32 billion.

Will the Senators from the West come forward with that $32 billion? Where is the offer by those who want to continue these practices and run that bill up even higher to pay the bill? Is there an offer to pay the bill?

I think the Senate ought to put an end to this process, to protecting a flawed policy, by supporting the Murray amendment, by opposing rider or provision of Senator CRAIG and Senator REID. I will, if for no other reason so I can simply represent the taxpayers in good conscience. The costs of continuing this program are far greater than the costs of enforcing the law and doing what is required. The Senator from Nevada asked, a moment ago, of the Senator from Illinois: What would you like us to do? He said: What do you think the mining companies ought to do?

Let me respectfully share with you what the Bureau of Land Management wants them to do, which the mining companies and these constant riders are blocking us from doing. Here it is very simply: Protect water quality from impacts caused by the use of cyanide leaching, thereby safeguarding human environmental health in the arid West. Second, protect wetlands in riparian areas, which provide essential wildlife habitat in arid regions, as well as promoting long-term environmental health, and sharply limit or eliminate any loopholes to the requirement to get advance approval of mining and reclamation plans.

Moreover, there are significant things that could be done. Require financial guarantees for all hard rock mining operations; base the financial guarantee amount on the estimated reclamation costs; require the miner to establish a trust fund to pay for long-term water treatment, if necessary. Is that asking too much? If you come in and use the land and you degrade the water, shouldn't you be required to provide water treatment in order to protect the water?

Is it asking too much that you should post a bond in order to guarantee that once you strip the mine of all of its economic value and have taken out billions of dollars and walked away with your profits, that you should have some requirement for reclamation, and that there is a sufficient bonding from those profits. Even if you don't pay royalties, shouldn't you pay to guarantee the land is going to be cleaned up?

So they ask what should we be able to do. The things they should do are clear as a bell, and they have been blocked. Blocked for the 10 years that I have watched this being fought here. I watched Senator Bumpers from Arkansas pace up and down there with

these arguments year in and year out. And year in and year out, unfortunately, the industry works its will against the better common sense of true conservationists, against the better common sense of those whom I believe care deeply about the land.

It is incredible to me that we of good conscience can't find adequate language and compromise to protect this land, to be able to do this properly. We require more of coal miners, and we require more of oil and gas than we do of hard rock mining, and it is public land.

So I say to my colleagues we have an opportunity to do what we have been trying to do as a matter of common sense, which is enforce the law of the land. That is all we are asking—enforce the current law of the land as it was before, as it should have been, and as it must be now, in order to adequately protect the interest of the citizens.

I reserve the remainder of our time.

Mr. STEVENS. Mr. President, may I have 8 minutes?

Mr. GORTON. I yield 8 minutes to the Senator.

Mr. STEVENS. Mr. President, I find myself in a strange position because I was Solicitor of the Interior Department. At the time, I followed the law and I interpreted the law; I did not make law. The BLM manual, in case you are interested, says specifically:

> A mill site cannot exceed 5 acres in size. There is no limit to the number of mill sites that can be held by a single claimant.

Now, that is a regulation made pursuant to the law that was in existence at the time the Solicitor rendered his opinion. He ignored that. But the main thing is, I am hearing things on the floor that amaze me. The Senator from Illinois says that, apparently, the environmental laws don't apply to mining claims. Why is it, then, that there is a requirement for mill sites? The mill sites are there primarily for the purpose of the tailings disposal of the ponds that must be built to provide protection under the Clean Water Act. Many of them are enormous in size and require several mill sites in order to have one disposal site. Those environmental laws are there to protect the public lands. But the Solicitor's opinion says you can only have up to 5 acres, which is the Catch-22. This opinion was not intended to validate the mining law. It was made to invalidate the mining law of 1872.

In my State—and, after all, my State has primarily half of the Federal lands in the United States—the mining law is working. Our State has a small mining law that is compatible in terms of requiring claims to be pursued by production of minerals to take actions to protect the lands. In Alaska, it is our fourth largest industry. The Greens Creek Mine has twice as many mill sites as does active claims under a plan filed with and approved by the Federal Government. As a matter of fact, it is mandated by the Federal Government that such lands be used for specific environmental purposes to protect the lands that are being mined and protect the waters, in particular. The Clean Water Act applies.

I am appalled—and I wish my friend from Massachusetts had stayed here—at his comments. I would like to take you to Alaska. Come up to Alaska and I will show you mining claims, and I will show you the extent to which we require them to comply with the environmental laws. As a matter of fact, we have enormous mining claims. The Kensington, Donlin Creek—they would never get off the ground if this amendment were passed.

Currently, there are 235 jobs on one mine alone. This is going to put thousands of people out of work in my State. The fourth largest industry will go out of existence if this passes, because you cannot mine in Alaska with just 5 acres to comply with the mining laws and the environmental laws.

The other thing is, I want to make sure you understand mill sites cannot be on mineral land. Under the law, they cannot be on mineral land. They are lands that are located somewhere in connection with the mining activities, and they have mining operations on them. So most of this entirely misses me. I don't understand what is going on. As a matter of fact, we have had fights over mining claims for years. My good friend from Arkansas is not with us anymore, but we had fights over mining claims. This is the first time people have attacked mill sites. The amendment of the Senator from Washington attacks mill sites under the Solicitor's opinion—a misguided opinion at that—with regard to the number of mill sites. The Forest Service manual states:

> The number of mill sites that may legally be located is based specifically on the need for mining and milling purposes irrespective of the types or number of mining claims involved.

That has been a regulation issued by the Forest Service pursuant to the mining law, and it has been valid for years. Suddenly, the Solicitor's opinion says all that is nonsense; you can only have one mill site per mining claim. I am at a loss to understand why all of this rhetoric is coming at us with regard to the sins of the past.

Why don't we talk about the tremendous destruction in the East? Why is this all about the West? As a matter of fact, as the companies from the East moved into the West, they laid the West to waste, and that is what led to the environmental laws that we have and live by. We abide by them, particularly the Clean Water Act, the Clean Air Act, and the basic Environmental Protection Act.

Every one of these mining claims must have a mining plan approved by the agency that is managing the Federal lands for the Federal Government. Those agencies approved those plans. To suddenly come in and to say there is something wrong about this, I don't understand the Senators from the East, nor do I understand the Senator from the West, raising this kind of an objection to the lands that are necessary for environmental purposes. If this mining claims decision is upheld, that decision made by the Solicitor, every mine in my State must close. Every mine must close. That is nonsense.

Senator MURRAY's amendment merely states that the Solicitor is not going to make law. If you want to bring the law in and change the law of 1872, bring in the bill. We will debate it, as we did Senator Bumpers' bills. But don't come in and try to validate a Solicitor's opinion which is erroneous, and it is not good law.

The PRESIDING OFFICER (Mr. THOMAS). Who yields time?

The Senator from Washington.

Mrs. MURRAY. How much time remains on our side?

The PRESIDING OFFICER. Eight minutes 27 seconds on the Senator's side, and 10 minutes 5 seconds on the majority side.

Mrs. MURRAY. Mr. President, I yield 4 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Washington for her leadership on this important issue.

I have listened carefully to this debate. I will gladly acknowledge that many of the Senators, including the Senator from Alaska, have more personal knowledge of the mining industry than I do. But I believe that the environmental issues here are clear-cut issues, whether you live in the East, West, North, or South.

What we are talking about here is public land—land owned by every taxpayer. The people in a certain State with public land have no more claim to it than those in every other State. That is why this is a national issue.

Allow me, if I may, to put this in a political context. It is my understanding that this was based on a decision in 1991—I underline 1991—in a manual that was issued by the Department of the Interior, which has now become the handbook, or so-called ''manual,'' which has now become the basis of this debate. This so-called manual, or handbook, was neither a regulation nor a law. It was an interpretation which varied from interpretations which had been in existence since 1872.

For the first time since 1872, in 1991 in the closing days of the Bush administration, someone working in the Department of the Interior raised a question as to whether we would limit these mill sites to 5 acres. That limitation had not been questioned seriously at any point in the promulgation of the Surface Mining Act or in any other law until that date.

The mining industry seized that interpretation in 1991, in the closing hours of the Bush administration, and said: Now the lid is off. We can use as many acres as we want to dump next to our mining sites.

When Mr. Leshy came back in 1997 and said there is no basis in law for

that handbook decision, that is when the industry went wild, came to Capitol Hill, and said what we cannot overturn it in the courts and we want you to overturn it with riders on appropriations bills.

Those who talk about the sacred law in this handbook, let me tell you, one person in 1991, and one variation on the 5-acre limitation, and that is the basis for all of the argument that is being made by the other side.

Let me raise a second point. The Senator from Alaska, as well as the Senator from Idaho, said that the Clean Water Act applies to those who are involved in hard rock mining.

For the RECORD, I would like to make this clear. The Clean Water Act—I quote from ''Golden Dreams, Poisoned Streams'' by the Mineral Policy Center, certainly an organization which has an environmental interest in this, and I am proud to quote it as a source. If there are those who can find them wrong, make it a part of the RECORD. But I would gladly quote them as they say:

> The Clean Water Act, for instance, only partially addresses oversight surface water discharge. While the act sets limits on pollutants which can be discharged from surface waters from fixed point sources, like pipes and other outlets, it fails to directly regulate discharge to ground water, though ground water contamination is a problem at many mine sites. The Clean Water Act does not set any operational or reclamation standard for a mine to assure that sites will not continue to pollute water sources when they are abandoned.

So for those who are arguing on the side of the mining industry to come to this floor and argue that the Clean Water Act will guarantee no environmental problems, let me tell you, it does not do it.

Mr. STEVENS. Will the Senator yield for 30 seconds on our time?

Mr. DURBIN. Yes.

Mr. STEVENS. The Great Malinda Mine in southeast Alaska never opened because of the Clean Water Act. The Senator and his source could not be further wrong.

Mr. DURBIN. I say to the Senator from Alaska that I have no idea about that particular mine. But it could be that they couldn't meet the Clean Water Act test, the fixed-point source test, because if it came to ground water contamination, there is no regulation under the Clean Water Act on mining.

The PRESIDING OFFICER (Mr. ALLARD). The time of the Senator has expired.

Who yields time?

Mr. GORTON. I yield 3 minutes to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. BRYAN. Mr. President, I thank the Senator from Washington State. I thank the Chair.

There are a couple of points I would like to make. I know we are winding up this debate.

No. 1, I think it is important for the public to understand that this industry faces a very dire financial situation.

In Nevada, we have witnessed in the last decade the third renaissance of mining activity. It has employed thousands and thousands of people in my State with an average salary about $49,000 a year with a full range of benefits. These are good jobs.

Because of the declining price of gold on the world market, we have lost more than 2,000 jobs in the last 6 months alone, and more are scheduled to be laid off. In part, this is because of some proposals by the British Government and the IMF gold sales. It is a separate issue for us. But we are facing a very difficult time.

The second point I would like to make is that this has been framed as an environmental issue. It is not. The full panoply of all of the environmental laws enacted since the late 1960s applies to this industry. So they are not exempt from any of these provisions.

Finally, the point needs to be made that with respect to the reclamation, or lack thereof, we are frequently invited to the specter of what happened decades ago. I don't defend that. This is a new era, and every mine application for a permit requires a reclamation process and the posting of the bond to make sure these kinds of problems do not develop.

Why are we so upset about the Solicitor's opinion? For more than a century unchallenged, the interpretation given by the Solicitor's office was never viewed as the law. In this current administration, when the Clinton administration came into office, at no time during the early years was this kind of interpretation attached.

All of those in this industry relying upon the law as it is—I agree with my colleagues who point out that the law of 1872 needs to be changed. I support those provisions. I think there should be a fair market value for the surface that is taken. There should be a royalty provision. There should be a reverter if the land is no longer used for mining purposes. I agree that there should be a reclamation process that is required. The devil has been in the details. Unfortunately, we have not been able to reach an agreement on that.

But those who have sought and applied for the permits have done so based upon the law as it is today, and the regulations and the manual passed along to us by the Bureau of Land Management say nothing about one mill site for every mining claim—not a word, not a jot, not a title.

This is a new development. It is unfair. I urge my colleagues to reject the proposal.

Mr. GORTON. How much time is available?

The PRESIDING OFFICER. The opposition has 4 minutes 13 seconds and the proponents have 6 minutes 56 seconds.

Mr. GORTON. I yield 4 minutes to the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, this is deja vu all over again, with the exception of the former Senator from Arkansas, Mr. Bumpers, who obviously led this charge before.

I have heard things on the floor of the Senate tonight that are so inaccurate that I am surprised. Some have suggested that cyanide is poured on the grounds of our mines in this country, that there are 12,000 streams that have been polluted and damaged from our mining industry—and ruined, I think was the terminology used. These are totally inaccurate, false statements.

They are rock. There is no cyanide from the mining industry leaching out in the area where mining has occurred. They are all closed systems.

These are emotional appeals based not on fact but on fiction. They are directed by misleading environmentalists who have decided the mining industry and America's can-do spirit and technology can't take resources from the ground and do it properly.

We are not talking about a mining bill. We are talking about the proposal of the Senator from Washington which would limit what the Solicitor has proposed—one site, one mill site in a mining claim.

The reality is we will shut down the industry. That is all there is to it. Companies cannot operate the industry on that kind of a land availability.

They generalize in their criticism. They talk about Superfund, the ground water contamination. There are 55,650 sites. These are sites where mining has occurred. Let's look at their record. Reclaimed or benign, 34 percent, 194,000; landscaped disturbances, the landscape retakes its ability for regeneration, 41 percent; safety hazard, 116,000, 20 percent; surface water contamination, 2.6 percent; ground water contamination, eighty-nine one-hundredths; Superfund, eighty-nine one-hundredths.

My point is this is not a crass dereliction of responsibility. This is the mining industry's history as evaluated by the U.S. Abandoned Mines. Certainly we have exceptions on past practices.

To suggest cyanide is leaching out, to suggest we have an irresponsible industry, to suggest the States are not doing their jobs—and the States obviously oversee reclamation; they oversee the mining permits—and to try to kill the industry with a proposal that is absolutely inaccurate, impractical, and unrealistic is beyond me. I don't think it deserves the time of the Senate today.

Nevertheless, that is where we are. This creates an impossible situation. If we want to run the mining industry offshore, this is the way to do it. Canada did it by a gross royalty. Mexico did it by taxing them.

What is the matter with this body? There are 58,000 U.S. jobs, good paying jobs. We need to be a resource-developed country. Otherwise, we will bring them in from South Africa.

What happened in South Africa? It speaks for itself. I hope my colleagues recognize what this does. This kills the

mining industry and exports the jobs offshore.

Mrs. MURRAY. How much time remains?

The PRESIDING OFFICER. Four minutes twelve seconds and three minutes on the other side.

Mrs. MURRAY. Mr. President, we are coming to the end of this debate.

Obviously, there will be a tabling motion on my amendment. We have heard a lot on both sides. The one thing we all share is the understanding that the mining industry is an important industry in this country. We understand it provides jobs in many of our communities. We want to make sure that is retained in a fair way. The mining industry did not like the position of the mining law. Instead of allowing reform of a law that was written almost 130 years ago in a give-and-take fashion, they have come sweeping into the Interior bill, and in that bill the proponents have changed that portion of the law that the mining industry does not like.

Maybe that portion of the law needs to be changed because of current technology that is out there. However, they should give something back. They already have an incredible deal. They pay $2.50 to $5 an acre for the land they use. They pay no royalties and now in this Interior bill they are allowed incredible mass use of our public lands.

We have heard a lot about the law and the BLM manual. Let me show Members what the statute says. This is the 1872 law. It is very clear. It says:

> Such nonadjacent surface ground may be embraced and included in at application for patent for such vein or lode, and the same may be patented therewith . . . on no location made on or after May 10, 1872, of such nonadjacent land shall exceed five acres.

And for placer claims:

> Such land may be included in an application for a patent for such claim and may be patented therewith subject to the same requirements as to survey and notice as are applicable to the placers. No location made of such nonmineral land shall exceed five acres.

The law is clear. The BLM manual from 1976 to 1991 was also very clear and talked about 5 acres. This was changed in 1991 at the end of the Bush era. It was changed to read:

> A mill site cannot exceed five acres in size. There is no limit to the number of mill sites that can be held by a single claimant.

We are not here to debate the BLM manual. We are here to say: Should the law that was written in 1872 be changed to favor one side of this debate in this Interior bill before the Senate right now? We are saying if we are going to change a part of the law, this law, then we should ask the industry what they will give us in return. Will it be royalty that other industries have to pay? Is it more per acre? Should environmental law apply? Should they clean it up?

We should debate it. It should be part of the 1872 Mining Act reform. I think this Congress ought to get into this debate. To do it blatantly for one side in this bill, this night, is not the way to do it. That is why we are debating this issue. I hope many of our colleagues will understand this is a giveaway to an industry that does not pay royalties, that only pays between $2.50 and $5 an acre, less than any Member would pay to go camping on our public lands.

I think it needs to be done in a fair way. I urge my colleagues to step back. What are we doing for the taxpayers of this country? Let's be fair to them. Let's be fair to our public lands. Let's be fair to the law and do it right and not do it in a rider on the Interior appropriations bill. I urge my colleagues to vote against the motion to table.

I thank all of our colleagues who came to the floor to help with this debate.

Mr. GORTON. Rarely has a debate on an amendment had less to do with the content of the amendment itself. This debate is not about past mining practices or the leftovers from those practices or who will pay for them. The passage of the amendment will not affect that whatever, nor will the passage of the motion to table.

Royalties for mining on public lands is not a part of this debate. Passing the Murray amendment will not change those royalties. Passing a motion to table won't change those royalties. The past simply is not involved in this matter. The way in which mining claims are patented is not involved in this matter, nor does this debate involve the environmental laws of the United States. Every plan of operation of a mine must meet the requirements of the Clean Water Act, must meet the requirements of the National Environmental Policy Act, must meet the requirements of the Endangered Species Act. You don't get the permit unless you have met all of those requirements. The mine in the State of Washington that was the subject of the earlier amendment in this body met all those requirements, got all those permits, and won tests against them in courts of the United States. And every other mining claim that will come up, if this motion to table is agreed to, will have to meet the same environmental laws.

What this debate is about is whether or not the laws of the United States are to be amended by the Congress of the United States or by an employee of the Department of the Interior. This 1872 law has been amended by the Department of the Interior's ruling. No Member of Congress, whatever his or her views of the Mining Act of 1872, should favor the proposition that a bureaucrat can amend the laws of the United States. Of course, we ought to debate the 1872 Mining Act. Of course, we ought to vote on it. We have in fact debated and voted on it here in the Congress. But the fact that the changes have not taken place to the satisfaction of some does not delegate the authority to change the laws of the United States to the Department of the Interior.

The subject here is simply that. If this motion to table is agreed to, as the person who will probably chair the conference committee on this subject, I assure you that no final provision will be any stronger than the Craig-Reid amendment because of what the House has done and may well be less sweeping even than that. So at the most, Members, by voting for this motion to table, are voting for the Craig-Reid amendment and probably for something somewhat less stringent.

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. Mr. President, on behalf of myself and the Senator from Nevada, Mr. REID, I move to table the Murray amendment, No. 1360.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1360. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Mississippi (Mr. LOTT) is necessarily absent.

Mr. REID. I announce that the Senator from Delaware Mr. (BIDEN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

The result was announced, yeas 55, nays 41, as follows:

[Rollcall Vote No. 223 Leg.]

YEAS—55

| | | |
|---|---|---|
| Abraham | Daschle | Lugar |
| Allard | DeWine | Mack |
| Ashcroft | Domenici | McConnell |
| Bennett | Enzi | Murkowski |
| Bingaman | Frist | Nickles |
| Bond | Gorton | Reid |
| Breaux | Gramm | Roberts |
| Brownback | Grams | Santorum |
| Bryan | Grassley | Sessions |
| Bunning | Hagel | Shelby |
| Burns | Hatch | Smith (NH) |
| Byrd | Helms | Smith (OR) |
| Campbell | Hollings | Stevens |
| Chafee | Hutchinson | Thomas |
| Cochran | Hutchison | Thompson |
| Conrad | Inhofe | Thurmond |
| Coverdell | Inouye | Warner |
| Craig | Kyl | |
| Crapo | Lincoln | |

NAYS—41

| | | |
|---|---|---|
| Akaka | Gregg | Murray |
| Baucus | Harkin | Reed |
| Bayh | Jeffords | Robb |
| Boxer | Johnson | Rockefeller |
| Cleland | Kerrey | Roth |
| Collins | Kerry | Sarbanes |
| Dodd | Kohl | Schumer |
| Dorgan | Landrieu | Snowe |
| Durbin | Lautenberg | Specter |
| Edwards | Leahy | Torricelli |
| Feingold | Levin | Voinovich |
| Feinstein | Lieberman | Wellstone |
| Fitzgerald | McCain | Wyden |
| Graham | Mikulski | |

NOT VOTING—4

| | |
|---|---|
| Biden | Lott |
| Kennedy | Moynihan |

The motion was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1361, WITHDRAWN

Mr. REID. Mr. President, I ask unanimous consent that the Reid amendment No. 1361 be withdrawn.

The PRESIDING OFFICER (Mr. BUNNING). Without objection, it is so ordered.

## MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mrs. COLLINS pertaining to the submission of S. Res. 167 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JUDGE FRANK M. JOHNSON, JR.

Mr. SESSIONS. Mr. President, I would like to make a few comments at this time upon the death of Judge Frank M. Johnson, Jr., a native Alabamian born in Haleyville, AL, who was appointed to the Federal bench in 1953 by President Eisenhower and who was buried today in his native Winston County, aged 80.

That Frank M. Johnson, Jr., was a great judge, there can be no doubt. It is appropriate and fitting that this body, which reviews and confirms all members of the judiciary, pause and consider his outstanding life. His death has attracted national attention. While I knew him and considered him a friend, I am certainly unable to effectively articulate in any adequate way what his long tenure has meant to America and to Alabama, but the impact of his life on law in America is so important, I am compelled to try. I just hope I shall be forgiven for my inadequacies.

Many will say that his greatness was to be found in his commitment to civil rights and his profound belief in the ideal of American freedom, which was deep and abiding. These were, indeed, powerful strengths. Others will say that his greatness is the result of his wise handling of a series of pivotal cases that changed the very nature of everyday life throughout America, cases which were at the forefront of the legal system's action to eliminate inequality before the law. Indeed, it is stunning to recall just how many important cases Judge Johnson was called upon to decide and how many of these are widely recognized today as pivotal cases in the history of American law.

How did it happen? How did so much of importance fall to him, and how did he, in such a crucial time, handle them with such firm confidence?

I tend to believe those cases and his achievements at the root arose out of his extraordinary commitment to law, to the sanctity of the courtroom, and to his passionate, ferocious commitment to truth. That was the key to his greatness. Judge Johnson always sought the truth. He demanded it even if it were not popular. He wanted it unvarnished.

Once the true facts in a case were ascertained, he applied those facts to the law. That was his definition of justice. Make no mistake, he was very hard working; very demanding of his outstanding clerks; and, very smart. He finished first in his class at the University of Alabama Law School in 1943. This combination of idealism, courage, industry, and intelligence when applied to his search for truth along with his brilliant legal mind was the source, I think, of his greatness. This explains how when he found himself in the middle of a revolution, he was ready, capable and possessed of the gifts and grades necessary for the challenge.

The historic cases he handled are almost too numerous to mention. There was the bus boycott case in which Rosa Parks, the mother of the civil rights movement, was arrested for failing to move to the back of the bus. There, he struck down Alabama's segregation law on public transportation. That was the beginning. Later, there was his order in allowing the Selma to Montgomery march in 1964, the order to integrate his alma mater, the University of Alabama, despite the famous and intense opposition by Governor George C. Wallace, the desegregation of the Alabama State Troopers, historic prison litigation cases and his mental health rulings which were quoted and followed throughout the nation. Each of these and many other cases were truly historic in effect and very significant legally. Did he go too far on occasion? Was he too much of an activist? On a few occasions, perhaps. Some would say, on occasion, the remedies that he imposed maybe went further than they should have, even though most have agreed that his findings of constitutional violations were sound. But, most of the time and in most of the cases he simply followed the law as we had always known it to be, but unfortunately, not as it was being applied.

When the State tried to stop the Selma to Montgomery march, Judge Johnson concluded, in words quoted, in a fine obituary by J. Y. Smith in the Washington Post Sunday, that the events at the Pettus Bridge in Selma.

> Involved nothing more than a peaceful effort on the part of Negro citizens to exercise Constitutional right: that is, the right to assemble peaceably and to petition one's government for the redress of grievances * * *
>
> It seems basic to our Constitutional principles that the extent of the right to assemble, demonstrate, and march peaceably along the highways and streets in an orderly manner should be commensurate with the enormity of the wrongs that are being protested and petitioned against. In this case, the wrongs are enormous. The extent of the right to demonstrate against these wrongs should be determined accordingly.

These simple, direct and powerful words are typical of the man and his way of thinking. The years in which he presided were tumultuous, the times very tense. I remember the times. Few who were alive in those days do not. Rosa Parks and Frank Johnson-were there. They were present and participating in the commencement of a revolution and the creation of a new social order in America—a better society in which we undertook as a nation to extend equality to all people. True equality has not been fully achieved, but is indisputable that when the hammer of Rosa Parks hit the anvil of Frank Johnson, the sound of freedom rang out loud and clear and to this day that sound has not been silenced. His actions, the cases he decided have caused the anvil of freedom to ring again and again, and that sound changed, not just the South and America but the entire world.

Though I never tried a jury case before Judge Johnson, I did have appellate cases before him when he was a member of the U.S. Court of Appeals for the Eleventh Circuit, to which he was appointed by President Carter in the late 1970's. I was honored to meet him occasionally when I was a United States Attorney and when I was a private attorney. I considered him a friend. He had himself been a United States Attorney and he had great respect for the office. In several ways, and at various times he made comments that affirmed me and my service. It made me feel good. Of this I am certain. If the law, in a case before Judge Johnson, and facts were on my client's side my client would win, if not, my client would lose. This was his reputation throughout the Bar and it was one of his highest accomplishments. He was respected by all members of the bar.

The stories told by lawyers practicing before Judge Johnson were many and some are now legendary. None were better told than those by the long time federal prosecutor, Broward Segrest, who practiced in Judge Johnson's Courtroom throughout his career. No one knew more of the courtroom events and could tell them better than Broward.

There were almost as many Frank Johnson stories as Bear Bryant stories. The point is this: yes, he was famous. Yes, he played an historic role in making this land of equality. And, yes, he was brilliant and fearless. He stood for what he believed in no matter what the consequences at risk to his life. But, it was not just in these great trials that one could divine the nature of his greatness. It was also in the lesser cases that he demonstrated his fierce determination to make justice come alive in his court, for every party in every case.

Lawyers who failed to follow the rules of court or to do an effective job

for their clients were in big trouble. Because they knew what he expected, what he demanded, they came to his court prepared and ready to do justice.

There is so much more than can be said. He once called himself a ''conservative hillbilly'' and that statement could be defended. To Judge Johnson, no one was above the law or above any person who appeared in his court. All were equal. Though a Republican, he was the perfect democrat—with a small ''d''. Neither power, nor wealth, nor status, nor skilled lawyering counted a whit in his court and everyone knew it. He loved democracy, fairness and justice. Judge Johnson was vigorously indignant at crime and corruption. He fully understood that those who stole or cheated were predators and were acting in violation of morality and law. This he would never tolerate. While he was always committed to providing a fair trial, he was known as a prosecutor's judge. He would not tolerate criminality.

Judge Johnson loved democracy and fairness and justice. He sought to make that real in his courtroom by finding the truth and skillfully, with intellectual honesty, applying the truth, the facts, to the law. As God gives us the ability to understand it, that is justice, and a judge who does not consistently, in great cases and small, at risk of his life, with skill and determination, and with courage and vision, over a long lifetime is worthy to be called great. Frank M. Johnson, Jr. is worthy.

## NASA AUTHORIZATION

Mr. LOTT. Mr. President, I rise in support of H.R. 1654, the NASA Authorization Act for fiscal years 2000, 2001, and 2002. Many of my colleagues and their staff's have worked hard on this legislation. This is a good bill. It ensures NASA is authorized at the appropriate level to continue its role in Space Flight and Exploration, Earth and Space Science, assembly and operations on the International Space Station, and Aeronautical Research.

Over the last decade, the U.S. commercial space launch industry has lost its technological advantage and now holds only 30 percent of the worldwide space launch market. As a result, sensitive U.S. technology is often launched into space by either Chinese, Russian or French rockets, increasing the risk of unwarranted U.S. technology transfer to foreign nations. The delayed development of modern, less expensive launch systems in this country needs to be rectified. This high cost of space transportation has greatly curtailed U.S. efforts in space research, science and exploration. This bill includes important provisions to address this issue which I would like to highlight.

Mr. President, NASA is currently conducting research programs, such as the X–33, X–34 and X–37, that could result in important technological advancements applicable to future reusable launch vehicles and reductions in space transportation costs. In addition, there are existing hardware and engine systems, that if evaluated, could make an immediate contribution to reducing the cost of access to space by a factor of 10. The information gained from these evaluations can be incorporated into design plans for the Spaceliner 100 series of vehicles and ultimately reduce the cost of access to space by a factor of one hundred. In the Commerce Committee, I amended the Senate NASA bill to add $150M for Fiscal Year 2000 to accelerate these future space launch programs by one year. Accelerating the efforts that gain us cheaper access to space will help the U.S. recapture the space launch business and save on future launch costs. American companies would not have to look overseas for cheaper launches, thereby minimizing our technology exposure to foreign governments.

Also, I am pleased to see the portion of the Earth Science budget supporting NASA's Commercial Remote Sensing effort is sustained. These programs, managed by the NASA Stennis Space Center's Commercial Remote Sensing Program Office in Mississippi, are contributing to the birth and growth of a new international industry. Wall Street has predicted this industry will grow to the $10 billion level by 2010. NASA Stennis personnel working together with the private sector, university researchers and other Federal agencies are already producing viable commercial products. New efforts are underway to coordinate the potential impact of these commercial products with the Department of Transportation. I have been told by DOT officials that remote sensing technology infused in the right way to DOT's planning efforts could result in significant savings in highway planning and construction. That is a very good potential payback for a small investment in the commercialization of remote sensing technology.

Mr. President, this is a good bill. I hope that the Senate's differences with the House can be resolved quickly so that the bill can be presented to the President for signature.

## ON THE KENNEDY/BESSETTE TRAGEDY

Mr. DASCHLE. Mr. President, last week was one of unimaginable shock and sorrow for the families of John Kennedy, Jr., Carolyn Bessette Kennedy and Lauren Bessette. We prayed as we first heard the news that their plane had disappeared. We hoped against hope as the Coast Guard, the Navy and the National Transportation Safety Board conducted their ''search and rescue'' mission, and we anguished when they shifted to ''search and recovery,'' Now, as John, Carolyn and Lauren are laid to rest in the ocean that claimed their lives, we grieve.

Much has been said these past weeks—in this Chamber, across the country, and around the world—about these three exceptional young people. We have heard again and again how John, Carolyn and Lauren loved life. We have heard so many stories of their compassion and grace, their generosity and their considerable talents. We've heard, most heartbreakingly, about their potential. They had, each of them, the capacity for greatness. That is part of what makes their loss so profound.

The great poet William Wordsworth wrote:

What though the radiance which was once so bright
Be now for ever taken from my sight
Though nothing can bring back the hour
Of splendor in the grass, of glory in the flower;
We will grieve not, rather find
Strength in what remains behind.

Nothing can bring back the splendor of their lives, or their potential. We are left now with only our memories of John Kennedy, Jr., his wife Carolyn, and her sister Lauren. With that in mind, Senator LOTT and I are introducing a resolution to authorize the printing of ''Memorial Tributes to John Fitzgerald Kennedy, Jr.'' These are our own tributes and condolences offered on this floor, this week, by members of the United States Senate. I ask the Senate to pass a resolution so that we may share our tributes with the families of John Kennedy, Carolyn Bessette Kennedy and Lauren Bessette. I can only hope the Kennedy, Bessette and Freeman families are able to find some small strength in the memories of their loved ones, and in the words and sympathy of those who grieve with them.

## TRIBUTE TO FIELDING BRADFORD ROBINSON, JR., SPECIAL LEGISLATIVE ASSISTANT AND DEPUTY DIRECTOR OF PROJECTS

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize and say farewell to my longtime staff member, Fielding Bradford Robinson, Jr., who is departing my personal office staff and returning to the State of Mississippi, after more than ten years of outstanding service here in Washington. Throughout his career, Brad Robinson has served with great distinction, and it is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided to me and to my home state of Mississippi.

A native of Jackson, Mississippi, Brad graduated from the University of Mississippi in 1982, with a Bachelor of Arts Degree in Public Administration. At Ole Miss, Brad was an officer of the Associated Student Body and a member of the Delta Psi Fraternity, St. Anthony Hall. He began his association with politics as Page Captain in the Mississippi House of Representatives. After logging countless miles as a pollster associated with CBS News, Brad went to work as a staff assistant to the

legendary United States Senator John C. Stennis of Mississippi. At that time, Senator Stennis was President Pro-Tempore of the Senate and Chairman of the Appropriations Committee. Following the retirement of Senator Stennis, Brad signed on as a staff member for freshman Congressman Larkin Smith, my friend and successor in the U.S. House of Representatives. Tragically, Congressman Smith died in a plane crash only months after taking office.

In 1989, Brad returned to the United States Senate and began work as a member of my personal staff. On Thursday, August 5th, 1999, Brad will conclude over ten years of faithful service in my office. During these years, Brad has proven to be one of my most loyal and dedicated staff members. As a special legislative assistant and as my deputy director of projects, Brad has tirelessly worked for the best interests of our Nation and the State of Mississippi. Over the years, working on Mississippi project interests has brought Brad into contact with virtually every city, county, and state agency in Mississippi; every federal agency and department; and every committee of the Senate and the House of Representatives as well.

Brad has pursued virtually every type of public infrastructure project conceivable, helping Mississippians build and improve utility systems, industrial parks, highways, bridges, railroads, airports and water ports. Using formal training from Ole Miss as a public planner, Brad labored closely with local engineers, and with the Army Corps of Engineers, to champion life saving flood control projects in the Mississippi Delta Region, the Jackson Metropolitan Area of Central Mississippi, and in the Forrest and Harrison County areas of South Mississippi. From the Director of the Mississippi Rural Water Association to water system operators throughout Mississippi, Brad is known as a dependable source of information and positive government action. Port directors along the Mississippi River, the Tennessee-Tombigbee Waterway, and the Mississippi Gulf Coast, have come to rely on Brad's expertise and network of contacts, on everything from dredging projects, to trade and empowerment zone designations.

Working behind the scenes to encourage top flight companies such as Southwest Airlines to expand into Mississippi, has also been a talent in which Brad has excelled. He is known by airport directors throughout our state as a man they know personally, who seemingly always is there to help with extending or repairing a runway, or improving navigation and weather instrument capability. Railroads, too, came to know Brad as an honest broker who stood for economic progress that also safeguarded and improved public safety. His multi-modal expertise, made Brad a natural asset to my staff during the legislative process that culminated in the Intermodal Surface Transportation Efficiency Act (ISTEA), as well as later during the legislative development of the Transportation Efficiency Act of the Twenty-first Century (TEA–21).

Among his many successes, Brad played a key role in encouraging the establishment of an environmentally friendly power generating facility in our state, which will efficiently and cleanly make use of vast alternative fuel supplies of lignite or low-grade coal. Combining a broad general knowledge with a keen appreciation for business, science, and technical development, and a deep respect for conservation and history, Brad has become a favorite of both business and development concerns, as well as leaders in historic and natural preservation. Brad was instrumental in historic preservation efforts for the Natchez Trace and the Natchez National Historic Park, as well as efforts to establish a Campaign of Vicksburg National Historic Trail, and a new visitors center for the Corinth, Mississippi Battlefield and Cemetery. Working both with community activists and public officials, Brad helped further these causes as well as many other historic and environmental projects such as rebuilding the Fort Massachusetts lighthouse on Ship Island, and restoring natural levels of water flow along the Lower Pearl River.

Like many effective staff members on Capitol Hill, Brad is the kind of person who never meets a stranger. A true southern gentleman, his Christian values and honest work ethic have endeared Brad to his colleagues and constituents in addition to earning their respect and trust. His flexible yet focused demeanor enables him to handle numerous projects without losing sight of the people with whom he works. For all of the many public projects Brad assisted over the years, he always made time to help individual citizens with their problems. On one occasion, while assisting a constituent with her tax problem, Brad learned of an unintended result that affected similarly situated citizens across our Nation. Brad got to work, helped form a bipartisan coalition, and succeeded in helping amend the tax code to reflect the original intent of Congress.

Brad also has contributed to the quality of life here on Capitol Hill through volunteering his time and leadership for such non-profit organizations as the Mississippi Society, the Ole Miss Alumni Association, and the Taste of the South annual charity ball. He even met his lovely wife, Mary Ellen, while she served on the staff of Senator STROM THURMOND. Brad and Mary Ellen will make their new home in Gulfport, Mississippi, and are expecting their first child in October.

Upon leaving my staff, Brad will serve as Executive Director of the Southern Rapid Rail Transit Commission where he will play a significant role in helping to establish high speed rail passenger service from Houston, Texas, to Jacksonville, Florida, and from the Gulf Coast to Atlanta. On behalf of my colleagues on both sides of the aisle, I wish Brad all of the best in his new career. I wish for Brad, and his growing family, that they experience all of the opportunity, excitement and adventure of the American Dream as they enter this new chapter of their lives and in all of their future endeavors. Brad, my most sincere congratulations on a job well done.

## EXPRESSING THANKS AND APPRECIATION TO AMBASSADOR JAMES SASSER

Mr. DODD. Mr. President, I rise today to add my voice to others in thanking Ambassador Jim Sasser for his service to our country as the United States Ambassador to the People's Republic of China for the last three and one half years.

Our friend Jim Sasser has just returned home having distinguished himself as the President's representative in Beijing during a critical and often difficult period in United States/Chinese relations. He understood better than anyone how important it was that he do an effective job as United States Ambassador to such a strategically important country.

When President Clinton nominated Jim as his ambassador he had every confidence in Jim's ability to fulfill his diplomatic duties, and that confidence was not misplaced. Even before Jim took on this assignment he understood that the state of U.S./China relations could have profound implications for peace and prosperity not only in the Asia/Pacific region but globally as well.

Once confirmed, Ambassador Sasser became an articulate and effective spokesman for the administration's policy of engagement with China. He rightfully stressed that the United States does not have the luxury of not dealing with China. He would remind his audiences that China's sheer size, its permanent membership on the United Nations Security Council, its nuclear weapons capability, its economic and military potential, all demand that the United States engage the Chinese Government and the Chinese people.

Soon after his arrival, Jim established excellent working relationships with the Chinese leadership. Both formally and informally he encouraged Beijing to view itself as a responsible member of the international community and act accordingly. I credit Jim's efforts along with others in successfully persuading China to commit itself to respect a number of non-proliferation regimes and to take under serious review the possibility of formally acceding to others.

Perhaps Jim's most significant achievement during his tenure was to oversee preparations for two high level bilateral summits between the United

States and China, President Jiang's 1997 visit to Washington and President Clinton's return visit to Beijing in 1998—the first such meetings between the United States and China in nearly a decade. I cannot imagine even the most seasoned of career diplomats performing more ably as United States Ambassador than Jim Sasser has over the last three and one half years.

I kept in touch with Jim during his tenure as ambassador. He was always enthusiastic and fully engaged in working to ensure that United States policies with respect to China served our national security, foreign policy and economic interests.

I have already mentioned to some of my colleagues, that I was actually talking to Jim one evening at the very moment that the U.S. Embassy was under siege by crowds of Chinese students pelting the building with rocks in retaliation for the accidental bombing of the Chinese embassy in Belgrade. It showed great courage for him to remain in the embassy with his staff rather than be evacuated as some had recommended. And through it all Jim never lost his sense of humor.

Although relations between Washington and Beijing have deteriorated in recent months, Jim was able to maintain open lines of communication with the Chinese government at the highest levels. He accomplished this difficult task by the strength of his intellect and personality.

Having had the pleasure of serving with Jim Sasser in the United States Senate it came as no surprise to me that Jim has been an outstanding diplomat. Jim brought to the job of U.S. Ambassador the same vision that he brought to the U.S. Senate while he served in this Chamber.

I remember vividly serving with Jim on the Budget Committee —at the time I was a very junior member of that committee. From 1989 onward, I was able to observe Jim's remarkable, remarkable performance as Chairman of that committee as he built support for sound budget resolutions. Time after time, he marshaled the votes and brought together people of totally different persuasions and opinions—one of the most difficult jobs that any Member of this body has. And he did it successfully, on six different budget resolutions and three reconciliation bills. These victories came under the most difficult circumstances—including during the Republican administration of President George Bush, when he fashioned one of the most difficult budget compromises in modern history.

Jim has served our country ably as a United States Senator and an American diplomat. In fact, there are very few people in public life who come to mind who have made the kinds of contributions to our country that Jim Sasser has over the years.

And through it all, never once has Jim or his family complained about the personal sacrifices that they have made in their years of public service. It therefore seems only appropriate and fitting that I take time today to publicly thank Jim, his wife Mary, and his children Gray and Elizabeth for all that they have done for our country. It is also a personal pleasure to welcome them home to the United States and to Jim's beloved State of Tennessee. I look forward to seeing Jim and Mary very soon and I know our colleagues do as well.

## CHANGES TO H. CON. RES. 68 PURSUANT TO SECTION 211

Mr. DOMENICI. Mr. President, section 211 of H. Con. Res. 68 (the FY 2000 Budget Resolution) permits the Chairman of the Senate Budget Committee to make adjustments to specific figures in the budget resolution and on the Senate pay-as-you-go scorecard, provided the CBO estimates an on-budget surplus for FY2000 in its July 1, 1999 update report to Congress.

Pursuant to section 211, I hereby submit the following revisions to H. Con. Res. 68:

[In millions of dollars]

| | |
|---|---|
| Current Aggregate/Instructions: | |
| FY 2000 revenue aggregate | $1,408,082 |
| FY 2000 revenue reduction reconciliation instruction | 0 |
| FY 2000–2004 revenue reduction reconciliation instruction | 142,315 |
| FY 2000–2009 revenue reduction reconciliation instruction | 777,868 |
| Adjustements: | |
| FY 2000 revenue aggregate | −14,398 |
| FY 2000 revenue reduction reconciliation instruction | 14,398 |
| FY 2000–2004 revenue reduction reconciliation instruction | 14,398 |
| FY 2000–2009 revenue reduction reconciliation instruction | 14,398 |
| Revised Aggregate/Instruction: | |
| FY 2000 revenue aggregate | 1,393,684 |
| FY 2000 revenue reduction reconciliation instruction | 14,398 |
| FY 2000–2004 revenue reduction reconciliation instruction | 156,713 |
| FY 2000–2009 revenue reduction reconciliation instruction | 792,266 |

[Fiscal years, in millions of dollars]

| Senate Pay-As-You-Go Scorecard | Total Deficit Impact | | | | | | |
|---|---|---|---|---|---|---|---|
| | 2000 | 2001 | 2002 | 2003 | 2004 | 2000–2004 | 2005–2009 |
| Current scorecard | 49 | −8,524 | −54,950 | −33,312 | −52,107 | −148,844 | −729,920 |
| Adjustments | −14,398 | 0 | 0 | 0 | 0 | −14,398 | 0 |
| Revised scorecard | −14,349 | −8,524 | −54,950 | −33,312 | −52,107 | −163,242 | −729,920 |

## NICARAGUA'S SANDINISTAS ADMIT TO SUBVERTING NEIGHBORS

Mr. HELMS. Mr. President, I have at hand several news reports indicating that Nicaragua's Sandinistas have finally confessed that they supplied weapons in the 1980s to communist guerrillas in El Salvador and, in fact, were themselves dependent on a flood of weapons from the Soviet Union during that period.

An excellent series of articles, written by Glenn Garvin and published in the Miami Herald earlier this month, at long last makes the record clear on that score. I ask unanimous consent that Glenn Carvin's articles be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HELMS. Mr. President, Mr. Garvin conducted a series of interviews with current and former Sandinista officials who are now celebrating the 20th anniversary of their rise to power on July 19, 1979. What they celebrate is a revolution that brought nothing but poverty and heartache to millions of people.

But in the midst of reciting war stories, they let the truth slip out: these Sandinista officials confirmed that they provided weapons to the Marxist Salvadoran guerrillas. They also acknowledged that the Soviet Union agreed to supply Nicaragua with high-performance MiG fighters, along with other military assistance.

This is not news, but what is, indeed, news is that, for once, two Sandinistas told the truth. back in the 1980s, when President Ronald Reagan and good many Senators accused the Sandinistas of fomenting revolution in neighboring countries, they and their left-wing media apologists in the United States questioned our facts. When the Reagan Administration warned the Soviets not to provide MiGs to Nicaragua, the other side falsely accused President Reagan of hysteria.

Now come Sandinista leaders—cofounder Tomas Borge and former president Daniel Ortega—admitting their role in a plot to escalate the crisis in Central America. Mr. President, neither of the two is famous for telling the truth, but in this case, I think they stumbled upon it, letting the cat out of the bag.

EXHIBIT 1

[From the Miami Herald]

WE SHIPPED WEAPONS, SANDINISTAS SAY

(By Glenn Garvin)

MANAGUA.—When Ronald Reagan and Sandinista leaders slugged it out during the 1980s over events in Nicaragua, Reagan was right more often than they liked to admit, the Sandinistas now say.

In a series of interviews with The Herald, several past and present Sandinista officials confirmed that they shipped weapons to Marxist guerrillas in neighboring El Salvador, a statement they once hotly denied.

The Sandinistas also said that the Soviet Union agreed to supply them with MiG jet fighters and even arranged for Nicaraguan pilots to be trained on the planes in Bulgaria. but the Soviets reneged on the deal, sending the Sandinistas scurrying to make peace with the contras.

DOMINO THEORY

''The Sandinista leadership thought they could be Che Guevaras of all Latin America, from Mexico to Antarctica,'' former Sandinista leader Moises Hassan told the Herald. ''the domino theory wasn't so crazy.''

During their explosive battles with Congress over U.S. aid to anti-Sandinista rebels

in Nicaragua, Reagan administration officials frequently justified helping the rebels on the grounds that the Sandinistas were shipping arms to the Salvadoran guerrillas.

Reagan's deputies also accused the Sandinistas of planning to acquire the MiGs, a move that they warned that the United States ''would view with the utmost concern.'' In 1984, when American officials spotted large crates being unloaded from Soviet ships in Nicaraguan ports, there was widespread fear that the two countries would go to war. But the crates turned out to contain helicopters, and tensions eased.

Sandinista leaders had denied supplying the Salvadoran guerrillas. ''We are not responsible for what is happening El Salvador,'' said Sandinista party cofounder Tomas Borge said in 1980.

Earlier this month, Borge and former president Daniel Ortega both said the denials were false. they said the Sandinistas had shipped arms to Salvadoran guerrillas because the Salvadorans helped them in their successful insurrection against Anastasio Somoza, and also because they thought it would be more difficult for the United States to attack two revolutionary regimes instead of one.

A MATTER OF ETHICS'

''We wanted to broaden the territory of the revolution, to make it wider, so it would be harder for the Americans to come after us,'' Borge said. Ortega added that it was ''a matter of ethics'' to arm the Salvadorans.

Neither man offered details on how many weapons were supplied. But Hassan a former Sandinista official who was a member of the revolutionary junta that governed Nicaragua in the early 1980s, said he believed about 50,000 weapons and a corresponding amount of ammunition were sent to El Salvador just in the first 16 months of the Sandinista government.

''Ortega and Borge didn't tell me about it, because they thought I was unreliable, but other people who just assumed I knew would casually bring it up,'' Hassan said.

Hassan resigned from the Sandinista party in June 1985 but continued to work closely with his old colleagues as mayor of Managua until late 1988.

He also confirmed that the Sandinistas had a commitment for MiGs from the Soviet Union.

He said he learned of the plan for the MiGs during 1982, when he was minister of construction and Sandinistas began building a base for the jet fighters at Punta Huete, a remote site on the east side of Lake Managua.

The site included a 10,000-foot concrete runway—the longest in Central America—capable of handling any military aircraft in the Soviet fleet.

CODE NAME: PANCHITO

''It was top secret—we even had a code name, Panchito, so we could talk about it without the CIA hearing,'' Hassan said. ''But somehow the Americans found out.''

Alejandro Bendeña, who was secretary general of foreign affairs during the Sandinista government, said Nicaraguan pilots trained to fly the MiGs in Bulgaria. But in 1987, soon after the Punta Huete site was finished, the Soviets backed out, he said.

The news that they weren't getting a weapon they had always considered security blanket, coupled with Soviet advice that it was ''time to achieve a regional settlement of security problems,'' made the Sandinistas realize that they could not longer depend on the USSR for help, Bendaña said.

Quickly, the Sandinistas signed onto a regional peace plan sponsored by Costa Rican President Oscar Arias, which required peace talks with the U.S.-backed contra army, Bendaña said. Those talks led eventually to an agreement for internationally supervised elections that resulted in a Sandinista defeat in 1990.

''It wasn't the intellectual brilliance of Oscar Arias that did it,'' Bendaña said. ''It was us grabbing frantically onto any framework that was there, trying to cut our losses.''

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HOSTILITY TO THE U.S. A COSTLY MISTAKE

20 YEARS AFTER THE REVOLUTION, NICARAGUANS WONDER HOW IT ALL COULD HAVE GONE SO WRONG

(by Glenn Garvin)

MANAGUA.—It was hard to say which was shining more brightly, Moises Hassan thought, as his makeshift military caravan rolled down the highway: the sun in the sky, or the faces of the people crowded along the road, shrieking ''Viva!'' to his troops.

It was the morning of July 19th, 1979, and Nicaragua had just awakened to find itself abruptly, stunningly free of a dictatorship that, for more than 40 years, had passed the country around from generation to generation like a family cow.

Hassan, as a senior official in the Sandinista National Liberation Front, the guerrilla movement that had spearheaded the rebellion against the dictatorship, had played a key role in ousting it. But now, as he waived to the crowds lining the highway, he realized that it was what came next that would really count.

''You could see the happiness in the people's faces,'' he recalled. ''And you could see the hope, too. And I told myself, damn, we've taken a lot of responsibility on ourselves . . . . We cannot let these people down.''

Twenty years later, neither Hassasn nor any other Sandinista leader denies that the revolution they did let Nicaraguans down. It would reel headlong into a decade of confrontation with the United States, a catastrophic economy where peasants literally preferred toilet paper to the national currency, and a civil war that would take 25,000 lives and send perilously close to a million others into exile.

It would end 11 years later in an ignominious electoral defeat from which the Sandististas still haven't recovered, and some say, never will. And it is still a source of wonder to them how everything could have gone so disastrously wrong.

''We believed—it was one of our many errors—that we were going to hold power until the end of the centuries,'' mused Tomas Borge, who helped found the Sandinista Front in 1961. ''It didn't work out that way.''

Just as the Sandinista victory in 1979 echoed around the world, ushering in a new chapter of the Cold War, its collapse sent a tidal wave washing through the international left.

Leftist theoreticians who could no longer defend the bueaucracy in the Soviet Union or Fidel Castro's erratic military adventures abroad pinned their hopes on the Baby Boomer regime in Nicaragua. They were devastated when it fared no better than the graying revolutions in Cuba and the USSR.

''It's like saying we had a project to make the world over the greater justice and greater fairness, and we failed,'' said Margaret Randall, an American academic who lived in Nicaragua during the first four years the Sandinistas governed and wrote four adultatory books about them.

''It's been very, very hard for those of us who gave our best years to Nicaragua, our greatest energies to Nicaragua, who had friends who died there . . . It's one thing to say the people are gone, but the project is still there. But now there's nothing. We're still picking up the pieces.''

ALL WAS CONFUSION—CHAOS LEFT SANDINISTAS A BLANK SLATE FOR COUNTRY

On that day 20 years ago, it was a little hard to imagine that any government would emerge from the debris left behind when Anastasio Somoza—the last of three family members to rule Nicaragua—slipped away in the middle of the night.

Within hours of Somoza's departure, the entire senior officer corps of the National Guard, the army on which the dictatorship was built, bolted for the border. On the morning of July 19, Managua's streets were littered with cast-off uniforms of panicky junior officers and enlisted men who were making their own getaways in civilian clothes.

Chaos was everywhere. Children lurched about the parking lot of the Inter-Continental Hotel, spraying the air with bullets from automatic rifles left behind by the soldiers. Inside the hotel, the last of the foreign mercenaries Somoza employed as bodyguards was going room to room, robbing reporters (including one from The Miami Herald) at gunpoint.

At the airport, clogged with government officials and Somoza cronies trying to catch the last plane out, an armed band of teenage Sandinista sympathizers climbed into the tower to try to arrest the air traffic controllers, who were still wearing their National Guard uniforms. Only the intervention of a Red Cross official prevented a complete disaster.

Elsewhere in the city, those who couldn't or wouldn't leave were nervously preparing peace offerings to the revolutionary army that was headed for Managua. One elderly couple spray-painted FSLN—the Spanish initials by which the Sandinistas were known—across the sides of their new Mercedes Benz.

But as Sandinista forces poured into the city over the next few days, the situation quickly stabilized. And as FSLN leaders admit, the anarchy they found actually offered them a marvelous opportunity to start a country from scratch.

''The state dissolved completely,'' said novelist Giaconda Belli, who delivered the first newscast over Sandinista television. ''No army, no judges, no congress, no nothing. . . . It was like a clean slate for us.''

What the Sandinistas had promised—to the Organization of American States and the U.S. Government, as they tried to mediate the war against Somoza—was a pluralist, non-aligned democracy with a mixed economy. Many Sandinistas still say that was what they tried to build.

''We were not trying to put a communist government in Managua,'' Belli insisted. ''We were very critical of the Soviet model and the Cuban model. We never closed our borders, we never prohibited organized religion.''

But though there were many members of the FSLN who rejected communist dogma, the nine men who composed the Sandinista directorate—the central committee—were committed Marxist-Leninists.

''All the top leadership was Marxist-Leninist,'' agreed Hassan, who wasn't. ''And I knew that if they had their way, Nicaragua would be a Marxist state. But I wasn't too worried about it. I didn't think they would be able to brush aside the rest of us.''

Hassan was part of the five-member junta—which included two non-Sandinista members—that was theoretically governing Nicaragua until free elections could be held. But, he soon realized, all the important decisions were being made by the party leadership. The junta was little more than a rubber stamp.

''I remember when the Russians invaded Afghanistan late in 1979, the junta had to

meet to decide what position we were going to take at the United Nations,'' Hassen said. ''We decided we would condemn it. But when [Foreign Minister Miguel] D'Escoto went up to New York, he abstained when it was time to vote. The Sandinista directorate told him what to do, and he obeyed them, not us.''

In fact, there was an increasing confusion between the identity of the country and the party. The police became the Sandinista National Police, the army the Sandinista People's Army. Schoolchildren pledged allegiance not only to Nicaragua but to the Sandinista party, and promised it their ''love, loyalty and sacrifice.''

Meanwhile, the failure to condemn the Soviet invasion was symptomatic of the revolution's leftward march. The government quickly moved to seize anything that was ''mismanaged'' or ''underexploited.'' Farmers were ordered to sell grain only to a state purchasing agency and cattle only to state slaughterhouses.

Newsmen who criticized government policies lost their papers or radio programs, and sometimes were jailed. Kids learned math from schoolbooks that taught two grenades plus two grenades plus two grenades equals six grenades, and their alphabet from sentences like this one that illustrated the use of the letter Q: ''Sandino fought the yanquis. The yanquis will always be defeated in our fatherland.''

It was the profound Sandinista hostility to the United States—the party anthem even referred to the U.S. as ''the enemy of humanity''—that led to what some party leaders now consider its most ruinous mistake: supporting Marxist guerrillas in nearby El Salvador against the American-backed government.

First Jimmy Carter and then Ronald Reagan warned the Sandinistas to stay out of the Salvadoran conflict. When they didn't, the United States first suspended aid to Nicaragua, and later began supporting the counterrevolutionary forces that came to be known as the contras in a civil war that ultimately cost the Sandinistas power.

''It was just political machismo,'' Belli said. ''Everybody was young, wearing uniforms, and they thought they were cut. They wanted to be heroic, and going up against the United States was heroic. . . . But it was the wrong thing to do, and the Nicaraguan people paid a high price.''

Several Sandinista leaders say the party missed a golden opportunity when Thomas Enders, an assistant U.S. secretary of state, came to Managua in 1981 with a final carrot-and-stick offer from the Reagan administration: Quit fooling around in El Salvador, and we'll leave you alone, no matter what you do inside Nicaragua. Keep it up, and we'll swat you like a fly.

''It was a great opportunity for a deal,'' said Arturo Cruz Jr., who was a key official in Nicaragua's foreign ministry at the time. ''I think it was a sincere offer. Ronald Reagan considered Nicaragaua a lost cause. Their concern was El Salvador.'' Sergio Ramirez, a member of the junta and later vice president, agreed: ''I thought it was an opportunity, and I said so, but no one agreed with me.''

Even with the benefit of hindsight, some Sandinistas say it was unthinkable to back away from the Salvadoran guerrillas.

''That was a matter of ethics on our part,'' said former President Daniel Ortega. ''The Salvadorans had helped us [against Somoza]. And thanks to the armed struggle, El Salvador has changed. It's a much different place than it was then. . . . The war in El Salvador has led to a political advance, and we are part of that achievement.''

The United States wouldn't have kept its promise anyway, said Borge. ''Look, I don't think Cuba was ever a threat to the United States, but let's say it was at one time,'' he explained. ''Well, with the fall of the Soviet Union, it obviously isn't a threat anymore. But the U.S. agitation against Cuba and attempts to isolate it continue. The U.S. doesn't like revolutionaries, and we were revolutionaries.''

But is some Sandinistas had doubts about the carrot in Enders' offer, they know he was serious about the stick. Three months after the Sandinistas rejected the deal, the Regan administration was funneling money to the contras. Four months after that, in March 1982, the contras blew up two major bridges in northern Nicaragua, and the war was on in earnest.

The war led directly to some of the Sandinistas' most unpopular policies, like the military draft, and broadened others, like moving peasants off their land into cooperatives. Censorship expanded until the daily paper La Presena, the last voice of the opposition, was shut down completely.

What had been skirmishes between the Sandinistas and the Roman Catholic Church erupted into full-fledged firefights, climaxing when FSLN militants shouted down Pope John Paul II as he tried to say Mass.

It accelerated the decline already begun by their economic policies. By 1988, inflation was 33,000 percent annually, and it took a shopping bag full of cordobas just to buy lunch—that is if you could find lunch.

Practically everything was in short supply: No hay, there isn't any, because about the only Spanish phrase a visitor of Nicaragua needed. The vast shelves of the supermarkets built in the days of Somoza were empty except for Bulgarian-made dishwasher soap, useless in a country with no dishwashers.

When the Sandinistas managed to obtain food from their socialist trading partners, people were suspicious. A bumper crop of Russian potatoes in 1987 led to the widespread certainty that they were contaminated with radiation from the breakdown of the Soviet nuclear reactor at Chernobyl.

Some of the problems, Sandinista leaders insist even now, weren't their fault.

''The conflict with the church was strong, and it cost us, but I don't think it was our fault.'' Ortega said. ''There was so many people being wounded every day, so many people dying, and it was hard for us to understand the position of the church hierarchy'' in refusing to condemn the contras.

Others, they acknowledge, were in large part their responsibility. ''When we arrived, we had almost total power,'' Borge said. ''And we didn't know how to handle total power. What came hand in hand with total power was the mistaken belief that we were never mistaken. This made us behave in an arbitrary way. And the most grave and arbitrary abuses were made in the countryside, where the peasants began to join the contras.''

Sandinista leaders agree that the contras would never have grown into such a huge and destructive force—some 22,000 by the war's end—if the U.S. hadn't been arming and supplying them. But most of them also admit that the revolution made the war possible by alienating hundreds of thousands of peasants.

''During the 1984 election, we had a rally down in the southern part of the country, and they had this peasant—a contra who had surrendered—make a symbolic presentation of a riffle to me,'' Ramirez recalled. ''We always talked about the contras as American mercenaries, but this guy standing across from me was not some big gringo Ranger. He was a simple peasant.

''Before that, my understanding of the counterrevolution had been intellectual. But here, right before me, was the face of the country. This poor man. . . . He thought we were going to take away his children, interfere in his family, butt into his religion, make him work in a collective.

''And this was the man that the revolution was supposed to be for! You know, the revolution was headed by intellectuals. We did it in the name of the workers and peasants, but were all intellectuals. And in the end , most of the peasants were against us.

END OF GAME—SANDINISTAS STUNNED BY SCOPE OF ELECTION LOSS

The war eventually forced the Sandinistas to agree to internationally supervised elections. They lost—to Violeta Chamorro, publisher of La Prensa, one of their most important allies during the war against Somoza—in a landslide that stunned them.

''We had a naive syllogism: If it was a revolution for the poor, then the poor couldn't be against us,'' Ramirez said. ''But we should have known much earlier. We started out with 90 percent of the population behind us. By 1985, there were 400,000 Nicaraguans who had fled to Miami, several hundred thousand more in Costa Rica and Honduras, and we still only got 60 percent of the vote. The Nicaraguan family was split.''

Since the 1990 election, the Sandinistas have lost three more elections (one presidential, two for local offices across the country) by nearly identical margins. The party newspaper is closed, the party television station under the control of Mexican investors. Two major scandals—one over the way Sandinista leaders looted the government on their way out of office in 1990, another over allegations that Daniel Ortega molested his stepdaughter for nine years, beginning when she was 11—have been sandwiched around countless minor ones.

Those who govern now say the Sandinistas left nothing behind but wreckage. Nicaraguan Vice President Enrique Bolaños, a lifelong opponent of the FSLN whose farm was confiscated during the revolution, says it will take decades to undo the damage the Sandinistas did to the Nicaraguan economy.

''Per capital income dropped to the levels of 1942 when they were in charge,'' he said. ''The trade deficit, which had always hovered around zero, went up to $400 million to $600 million their first year, and its stayed there ever since. Even if we get the foreign debt they left us under control—it went from $1.3 billion to $12 billion under them—that trade deficit will kill us.''

Many of the party's most loyal militants—including Ramirez, Belli, Hassan and Cruz—have deserted it. Some are harshly critical of what the revolution left behind. Hassan, who has left politics and now manages a garment factory, said that what he saw during the revolution has soured him on the political left.

''I think the left equal populism, which equals give-me-give-me-give-me,'' he said. ''What we bred here are people who say, 'I'll go to demonstrations and shout, but I won't work. I want a salary, but I won't work. I want food, but I won't work. I want a house, but I won't work.

But others believe that the revolution left some things of lasting value, including a sense that even poor people have inalienable rights.

''Nicaraguan peasant will look you straight in the eye,'' said Alejandro Bendaña, once Daniel Ortega's top foreign policy adviser, now estranged from the party. ''That wasn't always true. When I was a kid, they walked up to you, bowing, humble and deferential, saying boss this and boss that. That is a legacy of the revolution.''

Bendaña, like many past and present Sandinistas, believes that the revolution would have been worthwhile even if it never accomplished anything but getting rid of the Somozas.

''Our parents had failed to get rid of the bastard, and we were the ones who did it,'' he said. ''And to get rid of the dictatorship, armed force was required. Banging pots and pans in the streets, like in the Philippines, that wasn't going to do it.''

Ortega, somewhat paradoxically, believes that the election that ousted him proves that the Sandinistas moved the country forward.

''When we lost the election, we gave up the government,'' Ortega said. ''That hadn't happened before. What we have here is a typical bourgeois democracy—not a true people's democracy—but I still think it represents an advance for Nicaragua.''

But being remembered as a transitional asterisk in Nicaraguan history was not what the Sandinistas dreamed of in 1979, when they boasted that they would do nothing less than construct a New Man, free of the chains of ego and selfishness.

''I always thought the revolution would be a transcendental story in human development,'' mused Ramirez earlier this month. ''But it wasn't, was it?''

## 46TH ANNIVERSARY OF THE KOREAN ARMISTICE

Mr. SHELBY. Mr. President, on July 27, 1953, the armistice was signed, ending the Korean War. On Sunday, July 25, 1999, nearly forty-six years after the fighting stopped, the Veterans of Foreign Wars gathered for the dedication of a Korean War Memorial in Fultondale, Alabama. I rise today, on the 46th Anniversary of the armistice, to honor the military personnel who faithfully served our nation in this conflict.

Many have wrongfully called Korea ''the Forgotten War.'' I want Korean War veterans to know that we have not forgotten their brave service to our nation. The courage and dedication of American troops who fought on and around the Korean Peninsula should never be forgotten. The names of Pusan, Inchon, Chosin Reservoir and countless other locations where our forces fought against Communist aggression continue to bring pride to the hearts and minds of all Americans.

We are constantly and correctly reminded of the thousands of Americans who lost so much in the Vietnam War. Vietnam left such a lasting impression on our history that there has been a temptation to overlook our nation's first stand against the Communist threat in Asia. I am committed to insuring that we do not succumb to this temptation. We must not forget either the 37,000 Americans who gave their lives in Korea, or the 8,000 MIAs whose fate remains a mystery.

Those who served their nation from 1950–53 suffered much, but have left a proud legacy. The 8th Army, Far East Air Force, 1st Marine Division, and 7th Fleet proved their mettle in Korea and remain among the proudest names in American military history. The peace and prosperity which the people of South Korea enjoy today is the direct result of the gallantry of our Armed Forces. The 38,000 American personnel who currently serve in South Korea are guardians of the liberty which their predecessors fought to establish nearly half a century ago.

Mr. President, I ask you and my fellow United States Senators to join me in recognizing the members of the Armed Services who sacrificed so much in defense of freedom and democracy on the Korean Peninsula.

## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, July 26, 1999, the Federal debt stood at $5,636,525,745,471.93 (Five trillion, six hundred thirty-six billion, five hundred twenty-five million, seven hundred forty-five thousand, four hundred seventy-one dollars and ninety-three cents).

Five years ago, July 26, 1994, the Federal debt stood at $4,632,297,000,000 (Four trillion, six hundred thirty-two billion, two hundred ninety-seven million).

Ten years ago, July 26, 1989, the Federal debt stood at $2,802,473,000,000 (Two trillion, eight hundred two billion, four hundred seventy-three million).

Fifteen years ago, July 26, 1984, the Federal debt stood at $1,536,607,000,000 (One trillion, five hundred thirty-six billion, six hundred seven million).

Twenty-five years ago, July 26, 1974, the Federal debt stood at $475,807,000,000 (Four hundred seventy-five billion, eight hundred seven million) which reflects a debt increase of more than $5 trillion—$5,160,718,745,471.93 (Five trillion, one hundred sixty billion, seven hundred eighteen million, seven hundred forty-five thousand, four hundred seventy-one dollars and ninety-three cents) during the past 25 years.

## 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.)

## MESSAGES FROM THE HOUSE

At 9:46 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2561. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

H.R. 2415. An act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

The message also announced that the House has passed the following bills, without amendment:

S. 604. An act to direct the Secretary of Agriculture to complete a land exchange with Georgia Power Company.

S. 1258. An act to authorize funds for the payment of salaries and expenses of the Patent and Trademark Office, and for other purposes.

S. 1259. An act to amend the Trademark Act of 1946 relating to dilution of famous marks, and for other purposes.

S. 1260. An act to make technical corrections in title 17, United States Code, and other laws.

The message further announced that the House insists upon its amendments to the bill (S. 507) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as managers of the conference on the part of the House:

For consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. SHUSTER, Mr. YOUNG of Alaska, Mr. BOEHLERT, Mr. BAKER, Mr. DOOLITTLE, Mr. SHERWOOD, Mr. OBERSTAR, Mr. BORSKI, Mrs. TAUSCHER, and Mr. BAIRD.

At 2:06 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

H.R. 1074. An act to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

H.R. 2565. An act to clarify the quorum requirement for the Board of Director of the Export-Import Bank of the United States.

## MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes; to the Committee on Governmental Affairs.

H.R. 1074. An act to provide Government-wide accounting of regulatory costs and benefits, and for other purposes; to the Committee on Governmental Affairs.

H.R. 2565. An act to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States; to the Committee on Banking, Housing, and Urban Affairs.

## 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–4358. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Automated Export System (AES)'' (RIN1515–AC42), received July 23, 1999; to the Committee on Finance.

EC–4359. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to worker adjustment assistance training funds; to the Committee on Finance.

EC–4360. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits; Correction'', received July 23, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4361. A communication from the Secretary of Education, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer in the Department of Education and the designation of an Acting Chief Financial Officer; to the Committee on Health, Education, Labor, and Pensions.

EC–4362. A communication from the Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Preferred Lender Program and Streamlining of Guaranteed Farm Loan Programs Loan Regulations; Correction'' (RIN0560–AF38), received July 23, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4363. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Gypsy Moth Generally Infested Areas'' (Docket No. 99–042–1), received July 23, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4364. A communication from the Chief Justice of the Supreme Court, transmitting, pursuant to law, a report of the proceedings of the Judicial Conference of the United States held on March 16, 1999; to the Committee on the Judiciary.

EC–4365. A communication from the Assistant Secretary, Lands and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf-Bonus Payments with Bids'' (RIN1010–AC49), received July 23, 1999; to the Committee on Energy and Natural Resources.

EC–4366. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Failure to Submit a Revised State Implementation Plan (SIP) for Lead; Missouri; Doe Run-Herculaneum Lead Nonattainment Area'' (FRL # 6408–3), received July 23, 1999; to the Committee on Environment and Public Works.

EC–4367. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on Governmental Affairs.

EC–4368. A communication from the Director, Employment Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Career Transition Assistance for Surplus and Displaced Federal Employees'' (RIN3206–AI39), received July 23, 1999; to the Committee on Governmental Affairs.

EC–4369. A communication from the Director, Employment Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Positions Restricted to Preference Eligibles'' (RIN3206–AI69), received July 23, 1999; to the Committee on Governmental Affairs.

EC–4370. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–104, ''Taxicab Commission Temporary Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–4371. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–105, ''Emergency Financial Assistance for Hospitals Temporary Act of 1999''; to the Committee on Governmental Affairs.

EC–4372. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–98, ''Use of Trained Employees to Administer Medication Clarification Temporary Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–4373. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–99, ''Equal Opportunity for Local, Small, or Disadvantaged Business Enterprises Temporary Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–4374. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–97, ''Office of Cable Television and Telecommunications Temporary Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–4375. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–100, ''Uniform Controlled Substances Temporary Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–4376. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–102, ''Motor Vehicle Excessive Idling Fine Increase Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–4377. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

EC–4378. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification relative to a proposed transfer of major defense equipment valued at $14,000,000 from Germany to Greece; to the Committee on Foreign Relations.

EC–4379. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the administration of the Foreign Agents Registration Act for the six months ending December 31, 1998; to the Committee on Foreign Relations.

EC–4380. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC–4381. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Taiwan; to the Committee on Banking, Housing, and Urban Affairs.

EC–4382. A communication from the Under Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, a report entitled ''Imposition of Foreign Policy Export Controls for Exports and Reexports of Explosive Detection Systems''; to the Committee on Banking, Housing, and Urban Affairs.

EC–4383. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Part 723; Member Business Loans'', received July 23, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4384. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''List of Communities Eligible for the Sale of Flood Insurance; 64 FR 38311; 07/16/99 (Docket No. FEMA–7716)'', received July 22, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4385. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility; 64 FR 38309; 07/16/99 (Docket No. FEMA–7717)'', received July 22, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4386. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, a report entitled ''Cigar Sales and Advertising and Promotional Expenditures'' for calendar years 1996 and 1997; to the Committee on Commerce, Science, and Transportation.

EC–4387. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: MD Helicopters, Inc. Model 369 D and E Helicopters; Request for Comments; Docket No. 99–zSW–40 (7–20/7–22)'' (RIN2120–AA64) (1999–0274), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4388. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Textron Canada Model 206L, 206L–1, 206L–3, and 206L–4 Helicopters; Request for Comments; Docket No. 99–SW–23'' (RIN2120–AA64) (1999–0278), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4389. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777 Series Airplanes; Request for Comments; Docket No. 99–NM 113'' (RIN2120–AA64) (1999–0277), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4390. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled

''Airworthiness Directives: Boeing Model 747–200 and –300 Series Airplanes Equipped with General Electric CF6–80C2 Series Engines; Docket No. 99–NM 247 (7–20/7–22)'' (RIN2120–AA64) (1999–0279), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4391. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: deHaviland, Inc. Models DHC–2 Mk. I, DHC–2 Mk. II, and DHC–2 Mk. III Airplanes; Docket No. 99–CE–05 (7–21/7–22)'' (RIN2120–AA64) (1999–0276), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4392. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: British Aerospace HP137 Mk1, Jetstream Models 3101 and 3201 Airplanes; Docket No. 98–CE–115 (7–20/7–22)'' (RIN2120–AA64) (1999–0275), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4393. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; North Platte, NE; Direct Final Rule; Request for Comments; Docket No. 99–ACE–33 (7–20/7–22)'' (RIN2120–AA66) (1999–0232), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4394. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Raton, NM; Direct Final Rule; Request for Comments; Docket No. 99–ASW 11 (7–20/7–22)'' (R2120–AA66) (1999–0231), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4395. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Harlan, IA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–22 (7–20/7–22)'' (RIN2120–AA66) (1999–0229), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4396. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ottawa, KS; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–21 (7–20/7–22)'' (RIN2120–AA66) (1999–0230), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4397. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class D Airspace; Dallas NAS, Dallas, TX; Docket No. 99–ASW–08 (7–22/7–22)'' (RIN2120–AA66) (1999–0228), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4398. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (29) Amdt. 1939 (7–19/7–22)'' (RIN2120–AA65) (1999–0035), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4399. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (18) Amdt. 1940 (7–19/7–22)'' (RIN2120–AA65) (1999–0034), received July 23, 1999; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPECTER, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1076. A bill to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, education, and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes (Rept. No. 106–122).

## 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. CAMPBELL:

S. 1438. A bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Mr. HARKIN, and Mr. WELLSTONE):

S. 1439. A bill to terminate production under the D5 submarine-launched ballistic missile program; to the Committee on Armed Services.

By Mr. GRAMM (for himself, Mr. LOTT, and Mr. MCCONNELL):

S. 1440. A bill to promote economic growth and opportunity by increasing the level of visas available for highly specialized scientists and engineers and by eliminating the earnings penalty on senior citizens who continue to work after reaching retirement age; to the Committee on Finance.

By Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ROBB, and Mr. AKAKA):

S. 1441. A bill to amend chapters 83 and 84 of title 5, United States Code, to modify employee contributions to the Civil Service Retirement System and the Federal Employees Retirement System to the percentages in effect before the statutory temporary increase in calendar year 1999, and for other purposes; to the Committee on Governmental Affairs.

By Mr. REED:

S. 1442. A bill to provide for the professional development of elementary and secondary school teachers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mrs. LINCOLN, Mr. WELLSTONE, and Mrs. MURRAY):

S. 1443. A bill to amend section 10102 of the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Mr. BURNS):

S. 1444. A bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit and increase the income limitation on the student loan interest deduction; to the Committee on Finance.

By Mr. KOHL (for himself and Mr. REID):

S. 1445. A bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the medicare and medicaid programs; to the Committee on Finance.

By Mr. LOTT:

S. 1446. A bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself and Ms. COLLINS):

S. Res. 164. A resolution congratulating the Black Bears of the University of Maine for winning the 1999 NCAA hockey championship; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. SHELBY, Mr. SESSIONS, Mr. GRASSLEY, Mr. BIDEN, Mr. KENNEDY, Mr. KOHL, Mr. DEWINE, Mr. FEINGOLD, and Mr. FITZGERALD):

S. Res. 165. A resolution in memory of Senior Judge Frank M. Johnson, Jr. of the United States Court of Appeals for the Eleventh Circuit; considered and agreed to.

By Mr. THOMAS:

S. Res. 166. A resolution relating to the recent elections in the Republic of Indonesia; to the Committee on Foreign Relations.

By Ms. COLLINS:

S. Res. 167. A resolution commending the Georges Bank Review Panel on the recent report recommending extension of the moratorium on oil and gas exploration on Georges Bank, commending the Government of Canada for extending the moratorium on oil and gas exploration on Georges Bank, and urging the Government of Canada to adopt a longer-term moratorium; to the Committee on Foreign Relations.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CAMPBELL:

S. 1438. A bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia; to the Committee on Energy and Natural Resources

NATIONAL LAW ENFORCEMENT MUSEUM ACT

Mr. CAMPBELL. Mr. President, today I am pleased to introduce the National Law Enforcement Museum Act of 1999. This legislation would authorize the construction of a National Law Enforcement Museum to be built here in our Nation's Capital.

Just over one year ago, this institution, along with millions of other Americans, were reminded about the risks that our officers must face on a daily basis. On July 24, 1998, U.S. Capitol Police Officer Jacob J. Chestnut

and Detective John Gibson were killed by a deranged man. This legislation I introduce today will ensure that their story of heroism and sacrifice is never forgotten, just as we must never forget the thousands of other officers who have made the ultimate sacrifice to secure the safety and well-being of our communities.

As a former deputy sheriff, I know first-hand the risks peace officers face in enforcing our laws. Throughout our nation's history, nearly 15,000 federal, state, and local law enforcement officers have lost their lives in the line of duty. Based on FBI statistics, nearly 63,000 officers are assaulted each year in this country, resulting in more than 21,000 injuries. On average, one police officer is killed somewhere in America every 54 hours.

Approximately 740,000 law enforcement professionals are continuing to put their lives on the line for the safety and protection of others.

We owe all of those officers a huge debt of gratitude, and it is only fitting that we properly commemorate this outstanding record of service and sacrifice.

My legislation seeks to achieve this important goal by authorizing the National Law Enforcement Officers Memorial Fund, a nonprofit organization, to establish a comprehensive law enforcement museum and research repository on federal land in the District of Columbia. The Fund is the same group that so ably carried out the congressional mandate of 1984 to establish the National Law Enforcement Officers Memorial, which was dedicated in 1991 just a few blocks from the Capitol. Clearly, their record of significant achievement speaks volumes about their ability to meet this important challenge.

Since 1993, the Fund has efficiently operated a small-scale version of the National Law Enforcement Museum at a site located about two blocks from the Memorial. The time has come to broaden the scope of this museum and move it in closer proximity to the National Law Enforcement Officers Memorial.

This museum would serve as a repository of information for researchers, practitioners, and the general public. The museum will become the premiere source of information on issues related to law enforcement history and safety, and obviously a popular tourist attraction in Washington, DC, as well.

The ideal location for this museum is directly across from the National Law Enforcement Officers Memorial on a parcel of federal-owned property that now functions as a parking lot. The building, as planned, will have underground parking for the judicial officers who currently use this lot.

Under my legislation, no federal dollars are being proposed to establish this museum. Rather, the Fund would raise all of the money necessary to construct the museum through private donations. Recognizing the national importance of this museum, however, the legislation states that upon completion of the museum facility the Secretary of the Interior and the Administrator of the General Services Administration will be responsible for the maintenance of the exterior grounds and interior space, respectively. The legislation places the responsibility of operating the museum in the hands of the Fund.

Finally, let me add that this legislation is supported by 15 national law enforcement organizations: the Concerns of Police Survivors; the Federal Law Enforcement Officers Association; the Fraternal Order of Police; the Fraternal Order of Police Auxiliary; the International Association of Chiefs of Police; the International Brotherhood of Police Officers; the International Union of Police Associations/AFL–CIO; the National Association of Police Organizations; the National Black Police Association; the National Organization of Black Law Enforcement Executives; the National Sheriffs Association; the National Troopers Coalition; the Police Executive Research Forum; the Police Foundation; the United Federation of Police; and the National Law Enforcement Council. Together, these organizations represent virtually every law enforcement officer, family member and police survivor in the United States.

Mr. President, as we remember the sacrifices made by Officer Chestnut, Detective Gibson and so many other brave officers, I strongly urge my colleagues in the Senate to join me in support of this important legislation.

Mr. President, I ask unanimous consent that the text of the legislation and letters of support be printed in the RECORD.

There being no objection, the materials was ordered to be printed in the RECORD, as follows:

S. 1438

*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 ''National Law Enforcement Museum Act''.

**SEC. 2. FINDING.**

Congress finds that there should be established a National Law Enforcement Museum to honor and commemorate the service and sacrifice of law enforcement officers in the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) MEMORIAL FUND.—The term ''Memorial Fund'' means the National Law Enforcement Officers Memorial Fund.

(2) MUSEUM.—The term ''Museum'' means the National Law Enforcement Museum established under section 4(a).

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

**SEC. 4. NATIONAL LAW ENFORCEMENT MUSEUM.**

(a) ESTABLISHMENT.—The Memorial Fund may construct a National Law Enforcement Museum on Federal land located on United States Reservation #7, on the property directly south of the National Law Enforcement Officers Memorial, bounded by—

(1) E Street, NW., on the north;

(2) 5th Street, NW., on the west;

(3) 4th Street, NW., on the east; and

(4) Indiana Avenue, NW., on the south.

(b) DESIGN AND PLANS.—

(1) IN GENERAL.—In carrying out subsection (a), the Memorial Fund shall be responsible for preparation of the design and plans for the Museum.

(2) APPROVAL.—The design and plans for the Museum shall be subject to the approval of—

(A) the Secretary;

(B) the Commission of Fine Arts; and

(C) the National Capital Planning Commission.

(c) FUNDING; EXTERIOR MAINTENANCE.—The Secretary—

(1) shall not permit construction of the Museum to begin unless the Secretary determines that sufficient amounts are available to complete construction of the Museum in accordance with the design and plans approved under subsection (b); and

(2) shall maintain the exterior and exterior grounds of the Museum after completion of construction.

(d) INTERIOR MAINTENANCE.—The Administrator of General Services shall maintain the interior of the Museum after completion of construction.

(e) OPERATION.—The Memorial Fund shall operate the Museum after completion of construction.

(f) FEDERAL SHARE.—The United States shall pay no expense incurred in the establishment or construction of the Museum.

(g) FAILURE TO CONSTRUCT.—If the Memorial Fund fails to construct the Museum by the date that is 7 years after the date of enactment of this Act, the authority to construct the Museum shall terminate on that date, unless construction of the Museum begins before that date.

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NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.,
*Washington, D.C., July 20, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*Washington, DC,*

DEAR SENATOR CAMPBELL: I am writing on behalf of the National Association of Police Organizations (NAPO) to thank you for your understanding and willingness to introduce legislation that when passed into law would authorize the National Law Enforcement Officers Memorial Fund (NLEOMF) to establish a National Law Enforcement Museum in the District of Columbia directly across the street from the National Law Enforcement Officers Memorial.

I stand ready to work with your staff to ensure speedy passage of this important legislation.

NAPO is a coalition of police unions and association from across the United States that serves in Washington, DC to advance the interest of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents 4,000 police organizations and more than 220,000 sworn law enforcement officers including the Denver Police Association and the nearly 4,000 members of the Colorado Police Protective Association.

NAPO lobbied tirelessly for the passage of legislation that allowed for the establishment of the National Law Enforcement Officers Memorial and will work just as hard for this legislation, which when completed will truly complement each other.

The Memorial serves as a reminder to the law enforcement community and the law-abiding public the sacrifice made on a daily basis by our nation's law enforcement officers and their loved ones.

The museum will serve as the most comprehensive law enforcement museum and research facility in the world. It will help create a better understanding of the law enforcement mission and will assist in bringing the police and the public closer together.

I appreciate your continued support of the law enforcement community.

Sincerely,

ROBERT T. SCULLY,
*Executive Director.*

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NATIONAL TROOPERS COALITION,
*Albany, NY., July 19, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*Washington, DC.*

DEAR SENATOR CAMPBELL: On behalf of the over 40,000 members of the National Troopers Coalition, I wish to thank you for your sponsorship of legislation that will create a National Law Enforcement Museum on Federal land directly across the street from the National Law Enforcement Officers Memorial.

This museum, in combination with the National Law Enforcement Officers Memorial, will pay tribute to law enforcement as a profession, as well as educate the public on the duties performed by the public servants who have sworn to protect the Constitution and the communities they serve. The research component alone, in conjunction with established Federal resources, should serve all of law enforcement as the premier source of information for operational and training purposes.

The site being considered is a natural setting for this museum and would no doubt enhance those Federal and District of Columbia facilities located nearby.

In closing, I would like to thank you for your leadership in introducing this legislation, as well as your support for State Troopers/Highway Patrolmen and their families. Your concern for them is deeply appreciated. If I or another member of the National Troopers Coalition can assist you, please don't hesitate to contact us.

Sincerely:

MIKE MUTH,
*1st Vice Chairman.*

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FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION,
*East Northport, NY, July 23, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*U.S. Senator,*
*Russell Building, Washington, DC.*

DEAR MR. CHAIRMAN: On behalf of the more than 16,000 members of the Federal Law Enforcement Officers Association (FLEOA). I wish to express FLEOA's strong support for legislation establishing a National Law Enforcement Museum on Federal land located directly across the street from the National Law Enforcement Officers Memorial (NLEOM). FLEOA thanks you for your support.

This legislation creates the largest and most comprehensive law enforcement museum and research facility, at no cost to the taxpayer as all funds necessary to complete the construction will be raised through private donations. We sincerely believe the museum and research facility will enable the public to better understand and appreciate the work of law enforcement, and thus further assist law enforcement in fighting crime. The proposed location, across the street from the Memorial Wall containing the names of nearly 15,000 American law enforcement heroes, is ideal. FLEOA, as a member of the NLEOM Executive Board, fully supports this concept and proposed legislation.

If you have any questions or need further information, please feel free to contact me directly at (212) 264–8400, or through feel free to contact me directly at (516) 368–6117. Thank you for your support.

RICHARD J. GALLO,
*President.*

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NATIONAL BLACK POLICE ASSOCIATION,
*Washington, DC, July 21, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR CAMPBELL: The National Black Police Association was created in 1972 as a network between minority officers across the country. The NBPA fosters a bond between the minority officers and their communities. This nonprofit organization has helped to improve relations between the police departments and the community.

I am writing on behalf of the National Law Enforcement Memorial Fund to formally request that you introduce legislation authorizing the NLEOMF to establish a National Law Enforcement Museum on Federal land located directly across the street from the National Law Enforcement Officers Memorial.

The goal of the NLEOMF is to create the largest and most comprehensive law enforcement museum and research facility found anywhere in the world. The museum will become ''the source'' of information on issues related to law enforcement history and safety. This facility would help to create a much better public understanding of and appreciation for the law enforcement profession and the work that they perform at great personal risk.

The museum site that is specified in this draft legislation is federally-owned land that is currently being used by the District of Columbia as a parking lot for the court buildings in the area. Therefore, we hope that you give our request favorable consideration. The museum will become a legacy which that we all would be extremely proud.

Sincerely,

WENDELL M. FRANCE,
*Chairperson.*

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NATIONAL LAW ENFORCEMENT COUNCIL,
*Washington, DC, July 21, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR CAMPBELL: As an honorary board member of the National Law Enforcement Officers' Memorial I am pleased to endorse plans for a museum facility on the grounds of the NLEOM. We strongly encourage you and your colleagues in the Congress to support our efforts. The land on which we wish to build our museum is locate on federal land and is located directly across from the Memorial. It requires the approval of Congress.

A Joint Resolution for the building of our Memorial (PL 98–534) was approved by the Congress and signed into law in 1991. We understand a similar Joint Resolution is required for the transfer of the public land in question, which is the site selected for the museum.

We are grateful for your interest and help in the introduction of the necessary legislation which would allow the NLEOMF to build their museum on federal land across from their Museum.

Kindest regards.

Sincerely yours,

DONALD BALDWIN.

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UNITED FEDERATION OF POLICE OFFICERS, INC.,
*Briarcliff Manor, NY, July 2, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*Washington, DC.*

DEAR SENATOR CAMPBELL: As a member of the National Law Enforcement Memorial Fund's Board of Directors, I am writing to formally request you introduce legislation authorizing our organization to establish the National Law Enforcement Museum on Federal Land located directly across the street from the National Law Enforcement Officers Memorial. It is my understanding that you have received a draft of the proposed legislation from our Executive Director Craig Floyd.

The goal is to create the largest and most comprehensive law enforcement museum and research facility found anywhere in the world. The museum will become the source of information on issues related to law enforcement history and safety. This facility would create a much better public understanding of and appreciation for the law enforcement profession and the work that they perform at great personal risk. The museum and research facility would also serve as an important tool for policy makers and law enforcement trainers in their efforts to make the profession safer and more effective. This museum facility work provide an effective and appropriate complement to the National Law Enforcement Officers Memorial in commemorating the extraordinary level of service and sacrifice provided throughout our history by our nation's law enforcement officers.

Therefore, on behalf of our active, retired, and associate members, I urge you to shepherd this legislation through the United States Congress so this dream will become a reality.

Sincerely,

RALPH M. PURDY,
*President.*

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NATIONAL SHERIFFS' ASSOCIATION,
*Alexandria, VA, July 20, 1999.*

Re: National Law Enforcement Officers' Memorial—National Law Enforcement Museum Legislation.

Hon. BEN NIGHTHORSE CAMPBELL,
*U.S. Senator, U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR CAMPBELL: On behalf of the National Sheriffs' Association—representing the Office of Sheriff and the public safety community in law enforcement, jails, and judicial and court services—I write to express our organization's wholehearted support for the establishment of a National Law Enforcement Museum in Washington, D.C.

Your background as a law enforcement officer and your advocacy on behalf of the public safety community are respected and appreciated by the NSA constituency, and I assure you that—as a proud and dedicated member of the Executive Committee and Board of Directors for the National Law Enforcement Officers' Memorial—I will work hard with NSA's leadership to assist you in any way we can in furtherance of your proposed legislation for the Museum.

NSA supports all legislation for the betterment of our citizenry and the public safety community. The old motto *To Protect and Serve* would be enshrined in a museum such as that proposed and would preserve law enforcement's historical roots. Accordingly, the National Sheriffs' Association would welcome the privilege to work closely with you on this honorable endeavor.

Sincerely,

A.N. MOSER, JR.,
*Executive Director.*

NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES,

*Alexandria, VA, July 19, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,
*Russell Senate Office Bldg., Washington, DC.*

DEAR SENATOR CAMPBELL: The National Organization of Black Law Enforcement Executives (NOBLE), applauds your efforts to honor the law enforcement officers who have protected, and those who protect our communities by introducing legislation to create the National Law Enforcement Museum.

NOBLE is an organization of over 3,500 primarily African-American law enforcement CEO's and command level officials who are committed to improving the quality of law enforcement service in this country through training, professional competence, personal example and by forming meaningful partnerships with the community.

NOBLE is a member of the board of directors of the National Law Enforcement Memorial Fund, and as such, supports the proposed National Law Enforcement Museum to be located on the isle of a parking lot in Judiciary Square, just south of the National Enforcement Officers Memorial in Washington, D.C.

The nation's memorial to law enforcement officers who have made the supreme sacrifice is unfortunately a perpetual memorial with an average of 150 names inscribed on the memorial walls each year. The memorial serves as a place where the families, friends and coworkers can find peace and solace as they cope with the loss of ''their'' officer.

Many of these visitors leave mementos that are catalogued and stored in the memorial offices. Other important items relating to law enforcement are also sent to the memorial offices. The memorial office is not an appropriate location to display these remembrances. We believe that these items should be displayed with the dignity they deserve. The National Law Enforcement Museum would compliment the memorial by not only telling the story of the courage and sacrifice of the individual officers ''on the wall'' but also the evolution of the law enforcement profession.

Besides the historical component, the museum would include a research center. This is a logical progression for the NLEOMF as the center would provide the opportunity to focus law enforcement historical and safety information at one location.

Fiscally, NOBLE believes that the National Law Enforcement Museum is a good investment for the nation. The NLEOMF is committed to this memorial and we have the capacity to construct the memorial through private donations.

The NLEOMF will partner with Secretary of the Interior and the Administrator of the General Services Administration for the maintenance of the building and grounds and the NLEOMF would operate the museum. The D.C. Supreme Court has already given its support for the museum.

We trust that Congress will act on this legislation expeditiously and turn this barren parking lot into living facility, that will meld the past, the present and the future of law enforcement with the memories of those whose names are engraved on the walls of the companion memorial.

Sincerely,

ROBERT L. STEWART,
*Executive Director.*

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By Mr. FEINGOLD (for himself, Mr. HARKIN, and Mr. WELLSTONE):

S. 1439. A bill to terminate production under the D5 submarine-launched ballistic missile program; to the Committee on Armed Services.

TRIDENT II (D–5) MISSILE PRODUCTION LIMITATION ACT

Mr. FEINGOLD. Mr. President, I come to the floor today to introduce a bill whose time has come.

Mr. President, it is a decade since the Berlin Wall came down, heralding the end of the Cold War. Since then, we have reduced our nuclear arsenal, as have the Russians. And our Navy is advocating to downsize the Trident nuclear submarine fleet, the cornerstone of our nuclear triad strategy. It's just common sense to limit future production of weapons deployed in those submarines.

The bill I introduce today would terminate future production of the Trident II missile. In doing so, this common sense bill would save American taxpayers $5 billion over the next five years, and more than $13 billion over the next ten years.

Mr. President, the Trident II, or D–5 missile, is the Navy's submarine-launched ballistic missile (SLBM). The missile is a Cold War relic that was designed specifically to be a first-strike strategic missile that would attack targets inside the Soviet Union from waters off the continental United States.

The Trident II is deployed aboard Ohio-class nuclear submarines in the order of 24 per boat. Each missile is loaded with 8 independently targetable, nuclear warheads. In other words, 192 warheads per submarine. The warheads bear 300- to 475-kilotons of explosive power. Doing the math, that equals up to 91,200 kilotons of warheads on each and every Trident submarine.

Mr. President, the truth of the matter is we all know that one submarine firing 192 warheads could bring about an apocalypse on this planet. Needless to say, 18, 14, or even 10 submarines with that kind of firepower is beyond necessity. This is especially true if one considers that in addition to, yes, in addition to the SLBMS, the United States deploys 500 Minuteman III intercontinental ballistic missiles with three warheads each; 50 Peacekeeper ICBMs with 10 warheads each; and 94 B–52 and 21 B–2 bombers capable of carrying strategic nuclear warheads.

Mr. President, the United States is building or possesses, right now, 360 Trident II missiles. Current plans would have us purchase 65 more missiles through 2005. The 360 missiles we already own are more than enough to fully arm the ten existing Trident II-armed submarines as well as maintain an adequate test flight program. We simply do not need 65 more missiles. Nor do we need to backfit four Trident I, or C4, missile carrying submarines to carry Trident IIs, especially when one considers that the C4 submarines won't even outlast the Trident I missiles they carry.

I'd like to briefly inform my colleagues on the difference between the Trident I and Trident II missiles. According to CBO, the C4 has an accuracy shortage of about 450 feet compared to the D5, or the distance from where the presiding officer is sitting right now to where the Speaker of the House is sitting down the hall. Given the fact that either missile could utterly destroy the District of Columbia many times over, spending billions of dollars to backfit the C4 submarines seems unnecessary.

And this is not an inexpensive program, Mr. President. According to the Congressional Budget Office, which recommends that we discontinue production of the Trident II and retire all eight C4 submarines, if we terminate production of the missile after this year and retire the C4s by 2005, we would save more than $5 billion over five years, and more than $13 billion over the next ten years. Even here in the Senate, that's real money.

Mr. President, I am not naive enough to believe that Russia's deteriorating infrastructure has eliminated the threat of their ballistic missile capability. And given the missile technology advances in China, North Korea, and Iran, and attempts by rogue states to buy intercontinental ballistic missiles, it is imperative that we maintain a deterrent to ward off this threat. There is still an important role for strategic nuclear weapons in our arsenal. Their role, however, is diminished dramatically from what it was in the past, and our missile procurement decisions should reflect that change.

Mr. President, of our known potential adversaries, only Russia and China even possess ballistic missile-capable submarines. China's one ballistic missile capable submarine is used solely as a test platform. Russia is the only potential adversary with a credible SLBM force, and its submarine capabilities have deteriorated significantly or remain far behind those of our Navy. Due to Russia's continued economic hardships, they continue to cede ground to us in technology and training. Reports even contend that Russia is having trouble keeping just one or two of its strategic nuclear submarines operational. According to General Eugene E. Habiger, USAF (Ret.) and former commander in chief of the U.S. Strategic Command, Moscow's ''sub fleet is belly-up.''

Mr. President, Russia's submarine fleet has shrunk from more than 300 vessels to about 100. Even Russia's most modern submarines can't be used to full capability because Russia can't adequately train its sailors. Clearly, the threat is diminishing.

Mr. President, earlier this year, Admiral Jay Johnson, the Chief of Naval Operations, went before the Senate Armed Services Committee and stated unequivocally that the Pentagon believes that 14 Trident submarines is adequate to anchor the sea-based corner of the nuclear triad. Based on that testimony, the committee put forward a Department of Defense authorization bill supporting the Navy's plan. Common sense would dictate that fewer submarines warrant fewer missiles. The threat is diminishing; the Navy knows it and the Congress knows it.

The Navy's plan, with the Senate's agreement, to downsize our Trident submarine fleet saves valuable resources and allows us to reach START II arms levels for our SLBMs, and moves us toward future arms reduction treaties. By going with ten boats, the Navy could meet essential requirements under START II today and the anticipated requirements under a START III framework tomorrow.

And ultimately, Mr. President, the United States' leadership in reducing our nuclear stockpile shows our good faith, and will make Russia's passage of a START II treaty more likely.

This strategy of reducing our nuclear stockpile is supported widely by some of our foremost military leaders. General George Lee Butler, former commander in chief of the U.S. Strategic Command, and an ardent advocate of our deterrent force during the Cold War, has said that ''With the end of the Cold War, these weapons are of sharply reduced utility, and there is much to be gained by substantially reducing their numbers.'' I believe we should heed his words.

Mr. President, more than anything else, this issue comes down to a question of priorities. Do we want to spend $13 billion over the next ten years to purchase unnecessary Trident II missiles, or do we want to use that money to address readiness concerns that we've talked a lot about but haven't addressed adequately?

Mr. President, for the past year, we've heard the call to address our military's readiness crisis from virtually all quarters. We were told that foremost among the readiness shortfalls were operations and maintenance as well as pay and allowances accounts.

A preliminary General Accounting Office report on recruitment and retention found that issues like a lack of spare parts; concerns with the health care system; increased deployments; and dissatisfaction with military leaders have at least as much effect on retention, if not more, than a pay raise.

And the Pentagon concurs. Last September, General Henry Shelton, Chairman of the Joint Chiefs, stated that ''without relief, we will see a continuation of the downward trends in readiness . . . and shortfalls in critical skills.'' Army Chief of Staff General Dennis Reimer claimed that the military faces a ''hollow force'' without increased readiness spending. Chief of Naval Operations Admiral Jay Johnson asserted that the Navy has a $6 billion readiness deficit.

To address the readiness shortfall, Mr. President, the Congress passed an emergency supplemental appropriations bill. The bill spent close to $9 billion, but just $1 billion of it went to address the readiness shortfall. Priorities, Mr. President.

And last month, on the Defense appropriations bill, a couple of Senators inserted an amendment, without debate, to take $220 million from vital Army and Air Force spare parts and repair accounts, and from the National Guard equipment account to buy planes. Planes that the Pentagon doesn't even want. Sponsors of the amendment admitted readily that this was done for the benefit of a company that had lost a multi-billion dollar contract with a foreign country. Priorities, Mr. President.

This bill makes sense now and for the future by saving vital defense dollars now and for years to come, and by stimulating the arms treaty dialogue.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1439

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

**SECTION 1. TERMINATION OF D5 SUBMARINE-LAUNCHED BALLISTIC MISSILE PROGRAM.**

(a) TERMINATION OF PROGRAM.—The Secretary of Defense shall terminate production of D5 submarine ballistic missiles under the D5 submarine-launched ballistic missile program.

(b) PAYMENT OF TERMINATION COSTS.—Funds available on or after the date of the enactment of this Act for obligation for the D5 submarine-launched ballistic missile program may be obligated for production under that program only for payment of the costs associated with the termination of production under this Act.

(c) INAPPLICABILITY TO MISSILES IN PRODUCTION.—Subsections (a) and (b) do not apply to missiles in production on the date of the enactment of this Act.

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By Mr. GRAMM (for himself, Mr. LOTT, and Mr. MCCONNELL):

S. 1440. A bill to promote economic growth and opportunity by increasing the level of visas available for highly specialized scientists and engineers and by eliminating the earnings penalty on senior citizens who continue to work after reaching retirement age; to the Committee on Finance.

NEW WORKERS FOR ECONOMIC GROWTH ACT

Mr. GRAMM. Mr. President, today I am joined by Senators LOTT and MCCONNELL in introducing the New Workers for Economic Growth Act, which will increase the number of H–1B temporary work visas used by U.S. companies to recruit and hire foreign workers with very specialized skills, particularly in high technology fields. In addition, the legislation eliminates the reduction in Social Security benefits now imposed on individuals aged 65 through 69 who continue to work and whose earnings exceed $15,500 annually. This bill will ensure that the U.S. economic expansion will not be impeded by a lack of skilled workers.

With record low unemployment, many U.S. companies have been forced to slow their expansion, or cancel projects, and may be forced to move their operations overseas because of an inability to find qualified individuals to fill job vacancies. We will achieve our full economic potential only if we ensure that high-technology companies can find and hire the people whose unique qualifications and specialized skills are critical to America's future success.

Last year, the Congress increased temporarily the number of annual H–1B visas from 65,000 to 115,000 for Fiscal Years 1999 and 2000, and to 107,500 in 2001. The number of H–1B visas is scheduled to drop back to 65,000 for Fiscal Year 2002 and subsequent years. The New Workers for Economic Growth Act will increase the H–1B visa cap to 200,000 for Fiscal Years 2000, 2001 and 2002. By the end of that period, we will have the data we need to make an informed decision on the number of such visas required beyond 2002. The bill retains the language of current law which protects qualified U.S. workers from being displaced by H–1B visa holders.

According to a recent study by the American Electronics Association (AEA), Texas has the fastest growing high technology industry in the country and is second only to California in the number of high technology workers. This legislation will ensure that these companies have access to highly skilled, specialized workers, in order that such businesses can continue to grow and prosper, and in doing so, create jobs and opportunity for U.S. workers.

Additionally, our bill expands work opportunities for America's retired senior citizens by removing the financial penalty which is now imposed on those who choose to continue to work while receiving Social Security and whose wages exceed specified levels. The Social Security earnings test robs senior citizens of their money, their dignity, and their right to work, and it robs our Nation of their talent and wisdom. I believe that this legislation represents a fair and effective way to address a critical need in our Nation's economy, and I hope my colleagues will quickly approve this important proposal.

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By Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ROBB, and Mr. AKAKA):

S. 1441. A bill to amend chapters 83 and 84 of title 5, United States Code, to modify employee contributions to the Civil Service Retirement System and the Federal Employees Retirement System to the percentages in effect before the statutory temporary increase in calendar year 1999, and for other purposes; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEE RETIREMENT CONTRIBUTIONS ACT OF 1999

Mr. SARBANES. Mr. President, I am pleased to join with my colleagues, Senators MIKULSKI, WARNER, ROBB and AKAKA, in introducing the Federal Employee Retirement Contributions Act of 1999. This bill would return Federal employee retirement contribution rates to their 1998 levels, effective January 1st, 2000.

Mr. President, in the 1997 Budget Reconciliation bill, as part of the deficit reduction effort, Congress enacted temporary increases in Federal employee retirement contribution rates. In order to meet its fiscal year 1998 reconciliation instructions, the Governmental Affairs Committee reluctantly agreed to phased-in, temporary increases in employee retirement payments of .5 percent through December 31, 2002.

The 1997 provision effectively takes retirement contribution rates under the Civil Service Retirement System (CSRS) from 7 percent to 7.5 percent and under the Federal Employee Retirement System (FERS) from .8 percent to 1.3 percent. Rates are to return to 7 percent and .8 percent respectively in 2003.

Mr. President, the sole rationale for this additional tax on Federal employee income in 1997 was to achieve deficit reduction. It is important to point out that Federal employees received no additional benefits from their increased contributions. Thus, the size of a Federal employee's retirement annuity is not greater because of their increased contributions. Instead, these contribution increases were merely one of several measures included in the Balanced Budget Act in order to raise revenues and reduce the deficit.

The goal of deficit reduction is being realized, and after 30 years of spiraling deficits the economy is now strong and the budget has been balanced. With budget surpluses projected for the near future, the rationale for increasing Federal employees' retirement contribution is no longer valid.

During the past weeks as tax cut proposals have begun moving in the Senate, I have worked to repeal the increased contributions as part of these proposals. While the Majority's tax cut packages would grant billions of dollars in tax relief over the next ten years, and even more in future years, the bill proposals fail to remove the burden that was placed on Federal employees under the Balanced Budget Act.

Mr. President, if we are going to move forward with tax reduction proposals, it is my strong view that we should first make certain that Federal employees, who were singled out to bear an additional burden in the deficit reduction effort, are relieved of that burden. Federal employees should not be forced to continue to contribute more than their fair share, at a time when others are having their taxes reduced.

As of January 1, 1999, half of the .5 percent increase (.25 percent) has already taken effect. Unless action is taken, an additional .15 percent will be deducted from Federal employees' salaries for their retirement on January 1, 2000, followed by .10 percent more in 2001. In these times of strong economic growth, Federal workers should no longer be required to carry this additional burden.

Federal employees were asked to make numerous sacrifices in order to contribute to our Nation's fiscal health. In addition to the increase in retirement contributions, the Federal Government has cut approximately 330,000 employees from its rolls and delayed statutory pay raises over the last several years. Certainly, these were substantial contributions to our country's economy and have helped us turn the corner toward the bright economic future that is now predicted. As we consider how to best utilize projected budget surpluses, we should first remove this burden from Federal employees who have already contributed so much. Repealing the increases in Federal employee retirement contributions is the fair thing to do.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1441

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Federal Employee Retirement Contributions Act of 1999''.

**SEC. 2. DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.**

(a) CIVIL SERVICE RETIREMENT SYSTEM.—The table under section 8334(c) of title 5, United States Code, is amended—

(1) in the matter relating to an employee by striking:

| | |
|---|---|
| ''7.4 | January 1, 2000, to December 31, 2000. |
| 7.5 | January 1, 2001, to December 31, 2002. |
| 7 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''7 | After December 31, 1999.''; |

(2) in the matter relating to a Member or employee for Congressional employee service by striking:

| | |
|---|---|
| ''7.9 | January 1, 2000, to December 31, 2000. |
| 8 | January 1, 2001, to December 31, 2002. |
| 7.5 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''7 | After December 31, 1999.''; |

(3) in the matter relating to a Member for Member service by striking:

| | |
|---|---|
| ''8.4 | January 1, 2000, to December 31, 2000. |
| 8.5 | January 1, 2001, to December 31, 2002. |
| 8 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''8 | After December 31, 1999.''; |

(4) in the matter relating to a law enforcement officer for law enforcement service and firefighter for firefighter service by striking:

| | |
|---|---|
| ''7.9 | January 1, 2000, to December 31, 2000. |
| 8 | January 1, 2001, to December 31, 2002. |
| 7.5 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''7.5 | After December 31, 1999.''; |

(5) in the matter relating to a bankruptcy judge by striking:

| | |
|---|---|
| ''8.4 | January 1, 2000, to December 31, 2000. |
| 8.5 | January 1, 2001, to December 31, 2002. |
| 8 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''8 | After December 31, 1999.''; |

(6) in the matter relating to a judge of the United States Court of Appeals for the Armed Forces for service as a judge of that court by striking:

| | |
|---|---|
| ''8.4 | January 1, 2000, to December 31, 2000. |
| 8.5 | January 1, 2001, to December 31, 2002. |
| 8 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''8 | After December 31, 1999.''; |

(7) in the matter relating to a United States magistrate by striking:

| | |
|---|---|
| ''8.4 | January 1, 2000, to December 31, 2000. |
| 8.5 | January 1, 2001, to December 31, 2002. |
| 8 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''8 | After December 31, 1999.''; |

(8) in the matter relating to a Court of Federal Claims judge by striking:

| | |
|---|---|
| ''8.4 | January 1, 2000, to December 31, 2000. |
| 8.5 | January 1, 2001, to December 31, 2002. |
| 8 | After December 31, 2002.''; |

and inserting the following:

| | |
|---|---|
| ''8 | After December 31, 1999.''; |

(9) in the matter relating to the Capitol Police by striking:

| | |
|---|---|
| ''7.9 | January 1, 2000, to December 31, 2000. |
| 8 | January 1, 2001, to December 31, 2002. |
| 7.5 | After December 31, 2002.''. |

and inserting the following:

| | |
|---|---|
| ''7.5 | After December 31, 1999.''; |

and

(10) in the matter relating to a nuclear material courier by striking:

| | |
|---|---|
| ''7.9 | January 1, 2000, to December 31, 2000. |

| | | |
|---|---|---|
| | 8 | January 1, 2001, to December 31, 2002. |
| | 7.5 | After December 31, 2002.''. |

and inserting the following:

| | | |
|---|---|---|
| | ''7.5 | After December 31, 1999.''. |

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8422(a) of title 5, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) The applicable percentage under this paragraph for civilian service shall be as follows:

| | | |
|---|---|---|
| ''Employee | 7 | January 1, 1987, to December 31, 1998. |
| | 7.25 | January 1, 1999, to December 31, 1999. |
| | 7 | After December 31, 1999. |
| Congressional employee. | 7.5 | January 1, 1987, to December 31, 1998. |
| | 7.75 | January 1, 1999, to December 31, 1999. |
| | 7.5 | After December 31, 1999. |
| Member | 7.5 | January 1, 1987, to December 31, 1998. |
| | 7.75 | January 1, 1999, to December 31, 1999. |
| | 7.5 | After December 31, 1999. |
| Law enforcement officer, firefighter, member of the Capitol Police, or air traffic controller. | 7.5 | January 1, 1987, to December 31, 1998. |
| | 7.75 | January 1, 1999, to December 31, 1999. |
| | 7.5 | After December 31, 1999. |
| Nuclear materials courier. | 7 | January 1, 1987, to the day before the date of enactment of the strom Thurmond National Defense Authorization Act for Fiscal Year 1999. |
| | 7.75 | The date of enactment of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to December 31, 1998. |
| | 7.75 | January 1, 1999, to December 31, 1999. |
| | 7.5 | After December 31, 1999.''. |

**SEC. 3. CONFORMING AMENDMENTS RELATING TO MILITARY AND VOLUNTEER SERVICE UNDER FERS.**

(a) MILITARY SERVICE.—Section 8422(e)(6) of title 5, United States Code, is amended to read as follows:

''(6) The percentage of basic pay under section 204 of title 37 payable under paragraph (1), with respect to any period of military service performed during January 1, 1999, through December 31, 1999, shall be 3.25 percent.''.

(b) VOLUNTEER SERVICE.—Section 8422(f)(4) of title 5, United States Code, is amended to read as follows:

''(4) The percentage of the readjustment allowance or stipend (as the case may be) payable under paragraph (1), with respect to any period of volunteer service performed during January 1, 1999, through December 31, 1999, shall be 3.25 percent.''.

**SEC. 4. OTHER FEDERAL RETIREMENT SYSTEMS.**

(a) CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM.—

(1) DEDUCTIONS, WITHHOLDINGS, AND DEPOSITS.—Section 7001(c)(2) of the Balanced Budget Act of 1997 (Public Law 105–33; 111 Stat. 659) is amended to read as follows:

''(2) INDIVIDUAL DEDUCTIONS, WITHHOLDINGS, AND DEPOSITS.—Notwithstanding section 211(a)(1) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2021(a)(1)) beginning on January 1, 1999, through December 31, 1999, the percentage deducted and withheld from the basic pay of an employee participating in the Central Intelligence Agency Retirement and Disability System shall be 7.25 percent.''.

(2) MILITARY SERVICE.—Section 252(h)(1)(A) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(h)(1)(A)), is amended to read as follows:

''(h)(1)(A) Each participant who has performed military service before the date of separation on which entitlement to an annuity under this title is based may pay to the Agency an amount equal to 7 percent of the amount of basic pay paid under section 204 of title 37, United States Code, to the participant for each period of military service after December 1956; except, the amount to be paid for military service performed beginning on January 1, 1999, through December 31, 1999, shall be 7.25 percent of basic pay.''.

(b) FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM.—

(1) IN GENERAL.—Section 7001(d)(2) of the Balanced Budget Act of 1997 (Public Law 105–33; 111 Stat. 660) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) IN GENERAL.—Notwithstanding section 805(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)(1)), beginning on January 1, 1999, through December 31, 1999, the amount withheld and deducted from the basic pay of a participant in the Foreign Service Retirement and Disability System shall be 7.25 percent.

''(B) FOREIGN SERVICE CRIMINAL INVESTIGATORS/INSPECTORS OF THE OFFICE OF THE INSPECTOR GENERAL, AGENCY FOR INTERNATIONAL DEVELOPMENT.—Notwithstanding section 805(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)(2)), beginning on January 1, 1999, through December 31, 1999, the amount withheld and deducted from the basic pay of an eligible Foreign Service criminal investigator/inspector of the Office of the Inspector General, Agency for International Development participating in the Foreign Service Retirement and Disability System shall be 7.75 percent.''.

(2) CONFORMING AMENDMENT.—Section 805(d)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4045(d)(1)) is amended in the table in the matter following subparagraph (B) by striking:

| | |
|---|---|
| ''January 1, 1970, through December 31, 1998, inclusive. | 7 |
| January 1, 1999, through December 31, 1999, inclusive. | 7.25 |
| January 1, 2000, through December 31, 2000, inclusive. | 7.4 |
| January 1, 2001, through December 31, 2002, inclusive. | 7.5 |
| After December 31, 2002. | 7''. |

and inserting the following:

| | |
|---|---|
| ''January 1, 1970, through December 31, 1998, inclusive. | 7 |
| January 1, 1999, through December 31, 1999, inclusive. | 7.25 |
| After December 31, 1999. | 7.''. |

(c) FOREIGN SERVICE PENSION SYSTEM.—

(1) IN GENERAL.—Section 856(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4071e(a)(2)) is amended to read as follows:

''(2) The applicable percentage under this subsection shall be as follows:

| | |
|---|---|
| ''7.5 | Before January 1, 1999. |
| 7.75 | January 1, 1999, to December 31, 1999. |
| 7.5 | After December 31, 1999.''. |

(2) VOLUNTEER SERVICE.—Section 854(c)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4071c(c)(1)) is amended by striking all after ''volunteer service;'' and inserting ''except, the amount to be paid for volunteer service beginning on January 1, 1999, through December 31, 1999, shall be 3.25 percent.''.

**SEC. 5. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on December 31, 1999.

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By Mr. REED.

S. 1442. A bill to provide for the professional development of elementary and secondary school teachers; to the Committee on Health, Education, Labor, and Pensions.

PROFESSIONAL DEVELOPMENT REFORM ACT

Mr. REED. Mr. President, I rise today to introduce the Professional Development Reform Act to strengthen and improve professional development for teachers and administrators.

I have long worked to improve the quality of teaching in America's classrooms for the simple reason that well-trained and well-prepared teachers are central to improving the academic performance and achievement of students.

Last Congress, I introduced the TEACH Act to reform the way our prospective teachers are trained. The TEACH Act sought to foster partnerships among teacher colleges, schools of arts and sciences, and elementary and secondary schools.

Such partnerships were a central recommendation of the National Commission on Teaching and America's Future to reform teacher training, and I was pleased that my legislation was included in the renewed teacher training title of the Higher Education Act Amendments of 1998.

As Congress turns to the reauthorization of the Elementary and Secondary Education Act, the focus shifts to new teachers and teachers already in the classroom.

Mr. President, the legislation I introduce today would reform professional development, which too often consists of fragmented, one-shot workshops, at which teachers passively listen to experts and are isolated from the practice of teaching.

We don't expect students to learn their ''ABCs'' after one day of lessons, and we shouldn't expect a one-day professional development workshop to yield the desired result.

Research shows that such professional development fails to improve or even impact teaching practice.

Moreover, a recent survey of teachers found that professional development is too short term and lacks intensity. In 1998, participation in professional development programs typically lasted from 1 to 8 hours—the equivalent of only a day or less.

As a consequence, only about 1 in 5 teachers felt very well prepared for addressing the needs of students with

limited English proficiency, those from culturally diverse backgrounds, and those with disabilities, or integrating educational technology into the curriculum.

Instead, research shows that effective professional development approaches are sustained, intensive activities that focus on deepening teachers knowledge of content; allow teachers to work collaboratively; provide opportunities for teachers to practice and reflect upon their teaching; are aligned with standards and embedded in the daily work of the school; and involve parents and other community members.

Such high-quality professional development improves student achievement. Indeed, a 1998 study in California found that the more teachers were engaged in ongoing, curriculum-centered professional development, holding school conditions and student characteristics constant, the higher their students' mathematics achievement on the state's assessment.

Community School District 2 in New York City is one district which has seen its investment in sustained, intensive professional development pay off with increases in student achievement. Professional development in District 2 is delivered in schools and classrooms and focused on system-wide instructional improvement, with intensive activities such as observation of exemplary teachers and classrooms both inside and outside the district, supervised practice, peer networks, and off-site training opportunities.

Unfortunately, a recent national evaluation of the Eisenhower Professional Development program found that the majority of professional development activities in the six districts studied did not follow such a sustained and intensive approach.

And, in a recent article in the Providence Journal, some teachers noted that professional development for them has revolved around sitting and listening to experts talk about standards, rather than working closely with teachers and students to refine new methods of teaching those standards.

Unlike the bill passed last week in the other body which would do little to address these issues or change professional development, my legislation would create a new formula program for professional development that is sustained, collaborative, content-centered, embedded in the daily work of the school, and aligned with standards and school reform efforts.

To achieve this enhanced professional development, the legislation funds the following activities: mentoring; peer observation and coaching; curriculum-based content training; dedicated time for collaborative lesson planning; opportunities for teachers to visit other classrooms to model effective teaching practice; training on integrating technology into the curriculum, addressing the specific needs of diverse students, and involving parents; professional development networks to provide a forum for interaction and exchange of information among teachers and administrators; and release time and compensation for mentors and substitute teachers to make these activities possible.

The Professional Development Reform Act also requires partnerships between elementary and secondary schools and institutions of higher education for providing training opportunities, including advanced content area courses and training to address teacher shortages. In fact, preliminary U.S. Department of Education data show that the Eisenhower Professional Development activities sponsored by institutions of higher education are most effective.

My legislation will also provide funding for skills and leadership training for principals and superintendents, as well as mentors. Indeed, ensuring that our principals have the training and support to serve as instructional leaders is critical, as is ensuring that mentors have the skills necessary to help our newest teachers and other teachers who need assistance in the classroom.

Funding is targeted to Title I schools with the highest percentages of students living in poverty, where improvements in professional development are needed most.

My legislation does not eliminate the Eisenhower program, but it does require that Eisenhower and other federal, state, and local professional development funds be coordinated and used in the manner described in our bill—on professional development activities that research shows works.

In addition, the Professional Development Reform Act offers resources but it demands results. Strong accountability provisions require that school districts and schools which receive funding actually improve student performance and increase participation in sustained professional development in three years in order to secure additional funding.

In sum, my legislation seeks to ensure that new teachers have the support they need to be successful teachers, that all teachers have access to high quality professional development regardless of the content areas they teach, and that the professional development does not isolate teachers, but rather is part of a coordinated and comprehensive strategy aligned with standards.

Not only does the research bear this out as the way to improve teaching practice and student learning, but education leaders in my home state of Rhode Island, as well as witnesses at a recent Health, Education, Labor, and Pensions Committee hearing stressed the importance of this type of professional development.

Mr. President, the time for action is now as schools must hire an estimated 2.2 million new teachers over the next decade due to increasing enrollments, the retirement of approximately half of our current teaching force, and high attrition rates.

Ensuring that teachers have the training, assistance, and support to increase student achievement and sustain them throughout their careers is a great challenge. But we must meet and overcome this challenge if we are to reform education and prepare our children for the 21st Century.

The Professional Development Reform Act, by increasing our professional development investment and focusing it on the kind of activities and opportunities for teachers and administrators that research shows is effective, is critical to this effort.

I urge my colleagues to join me in this essential endeavor by cosponsoring this legislation and working for its inclusion in the reauthorization of the Elementary and Secondary Education Act.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1442

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

**SECTION 1. PROFESSIONAL DEVELOPMENT.**

(a) SHORT TITLE.—This section may be cited as the ''Professional Development Reform Act''.

(b) AMENDMENTS.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by redesignating part E as part F; and

(2) by inserting after part D the following:

**''PART E—PROFESSIONAL DEVELOPMENT**

**''SEC. 2351. PURPOSES.**

''The purposes of this part are as follows:

''(1) To improve the academic achievement of students by providing every student with a well-prepared teacher.

''(2) To provide every new teacher with structured support, including a qualified and trained mentor, to facilitate the transition into successful teaching.

''(3) To ensure that every teacher is given the assistance, tools, and professional development opportunities, throughout the teacher's career, to help the teacher teach to the highest academic standards and help students succeed.

''(4) To provide training to prepare and support principals to serve as instructional leaders and to work with teachers to create a school climate that fosters excellence in teaching and learning.

''(5) To transform, strengthen, and improve professional development from a fragmented, one-shot approach to sustained, high quality, and intensive activities that—

''(A) are collaborative, content-centered, standards-based, results-driven, and embedded in the daily work of the school;

''(B) allow teachers regular opportunities to practice and reflect upon their teaching and learning; and

''(C) are responsive to teacher needs.

**''SEC. 2252. DEFINITIONS.**

''In this part:

''(1) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means effective professional development that—

''(A) is sustained, high quality, intensive, and comprehensive;

''(B) is content-centered, collaborative, school-embedded, tied to practice, focused on student work, supported by research, and aligned with and designed to help elementary school or secondary school students

meet challenging State content standards and challenging State student performance standards;

''(C) includes structured induction activities that provide ongoing and regular support to new teachers in the initial years of their careers;

''(D) includes sustained in-service activities to improve elementary school or secondary school teaching in the core academic subjects, to integrate technology into the curriculum, to improve understanding and the use of student assessments, to improve classroom management skills, to address the specific needs of diverse students, including limited English proficient students, individuals with disabilities, and economically disadvantaged individuals, and to encourage and provide instruction on how to work with and involve parents to foster student achievement; and

''(E) includes sustained onsite training opportunities that provide active learning and observational opportunities for elementary school or secondary school teachers to model effective practice.

''(2) ADMINISTRATOR.—The term 'administrator' means a school principal or superintendent.

**''SEC. 2353. STATE ALLOTMENT OF FUNDS.**

''From the amount appropriated under section 2361 that is not reserved under section 2360 for a fiscal year, the Secretary shall make an allotment to each State educational agency having an application approved under section 2354 in an amount that bears the same relation to the amount appropriated under section 2361 that is not reserved under section 2360 for the fiscal year as the amount the State educational agency received under part A of title I for the fiscal year bears to the amount received under such part by all States for the fiscal year.

**''SEC. 2354. STATE APPLICATIONS.**

''Each State educational agency desiring an allotment under section 2353 for a fiscal year shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require. The application shall include—

''(1) a description of the strategy to be used to implement State activities described in section 2355;

''(2) a description of how the State educational agency will assist local educational agencies in transforming, strengthening, and improving professional development;

''(3) a description of how the activities described in section 2355 and the assistance described in paragraph (2) will assist the State in achieving the State's goals for comprehensive education reform, will help all students meet challenging State content standards and challenging State student performance standards, and will help all teachers meet State standards for teaching excellence;

''(4) a description of the manner in which the State educational agency will ensure, consistent with the State's comprehensive education reform plan policies, or statutes, that funds provided under this part will be effectively coordinated with all Federal and State professional development funds and activities, including funds and activities under this title, titles I, III, VI, and VII, title II of the Higher Education Act of 1965, section 307 of the Department of Education Appropriations Act, 1999, and the Goals 2000: Educate America Act; and

''(5) a description of—

''(A) how the State educational agency will collect and utilize data for evaluation of the activities carried out by local educational agencies under this part, including collecting baseline data in order to measure changes in the professional development opportunities provided to teachers and measure improvements in teaching practice and student performance; and

''(B) the specific performance measures the State educational agency will use to determine the need for technical assistance described in section 2355(2) and to make a continuation of funding determination under section 2358.

**''SEC. 2355. STATE ACTIVITIES.**

''From the amount allotted to a State educational agency under section 2353 for a fiscal year, the State educational agency—

''(1) shall reserve not more than 5 percent to support, directly or through grants to or contracts with institutions of higher education, educational nonprofit organizations, professional associations of administrators, or other entities that are responsive to the needs of administrators and teachers, programs that—

''(A) provide effective leadership training—

''(i) to encourage highly qualified individuals to become administrators; and

''(ii) to develop and enhance instructional leadership, school management, parent involvement, mentoring, and staff evaluation skills of administrators; and

''(B) provide effective leadership and mentor training—

''(i) to encourage highly qualified and effective teachers to become mentors; and

''(ii) to develop and enhance the mentoring and peer coaching skills of such qualified and effective teachers;

''(2) may reserve not more than 2 percent for providing technical assistance and dissemination of information to schools and local educational agencies to help the schools and local educational agencies implement effective professional development activities that are aligned with challenging State content standards, challenging State student performance standards, and State standards for teaching excellence; and

''(3) may reserve not more than 2 percent for evaluating the effectiveness of the professional development provided by schools and local educational agencies under this part in improving teaching practice, increasing the academic achievement of students, and helping students meet challenging State content standards and challenging State student performance standards, and for administrative costs.

**''SEC. 2356. LOCAL PROVISIONS.**

''(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—Each State educational agency receiving an allotment under section 2353 for a fiscal year shall make an allocation from the allotted funds that are not reserved under section 2355 for the fiscal year to each local educational agency in the State that is eligible to receive assistance under part A of title I for the fiscal year in an amount that bears the same relation to the allotted funds that are not reserved under section 2355 as the amount the local educational agency received under such part for the fiscal year bears to the amount all local educational agencies in all States received under such part for the fiscal year.

''(b) APPLICATIONS.—Each local educational agency desiring a grant under this part shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may require. The application shall include—

''(1) a description of how the local educational agency plans—

''(A) to work with schools served by the local educational agency that are described in section 2357 to carry out the local activities described in section 2357; and

''(B) to meet the purposes described in section 2351;

''(2) a description of the manner in which the local educational agency will ensure that—

''(A) the grant funds will be used—

''(i) to provide teachers with the knowledge and skills necessary to teach students to be proficient or advanced in challenging State content standards and challenging State student performance standards, and any local education reform plans or policies; and

''(ii) to help teachers meet standards for teaching excellence; and

''(B) funds provided under this part will be effectively coordinated with all Federal, State, and local professional development funds and activities;

''(3) a description of the local educational agency's strategy for—

''(A) selecting and training highly qualified mentors (utilizing teachers certified by the National Board for Professional Teaching Standards and teachers granted advanced certification as a master or mentor teacher by the State, where possible), for matching such mentors (from the new teachers' teaching disciplines) with the new teachers; and

''(B) providing release time for the teachers (utilizing highly qualified substitute teachers and high quality retired teachers, where possible);

''(4) a description of how the local educational agency will collect and analyze data on the quality and impact of activities carried out in schools under this part, and the specific performance measures the local educational agency will use in the local educational agency's evaluation process;

''(5) a description of the local educational agency's plan to develop and carry out the activities described in section 2357 with the extensive participation of administrators, teachers, parents, and the partnering institution described in section 2357(4); and

''(6) a description of the local educational agency's strategy to ensure that there is schoolwide participation in the schools to be served.

**''SEC. 2357. LOCAL ACTIVITIES.**

''Each local educational agency receiving an allocation under this part shall use the allocation to carry out professional development activities in schools served by the local educational agency that have the highest percentages of students living in poverty, as measured in accordance with section 1113(a)(5), including—

''(1) mentoring, team teaching, and peer observation and coaching;

''(2) dedicated time for collaborative lesson planning and curriculum development meetings;

''(3) consultation with exemplary teachers and short- and long-term visits to other classrooms and schools;

''(4) partnering with institutions of higher education and, where appropriate, educational nonprofit organizations, for joint efforts in designing the sustained professional development opportunities, for providing advanced content area courses and other assistance to improve the content knowledge and pedagogical practices of teachers, and, where appropriate, for providing training to address areas of teacher and administrator shortages;

''(5) providing release time (including compensation for mentor teachers and substitute teachers as necessary) for activities described in this section; and

''(6) developing professional development networks, through Internet links, where available, that—

''(A) provide a forum for interaction among teachers and administrators; and

''(B) allow the exchange of information regarding advances in content and pedagogy.

**"SEC. 2358. CONTINUATION OF FUNDING.**

''Each local educational agency or school that receives funding under this part shall be eligible to continue to receive the funding after the third year the local educational agency or school receives the funding if the local educational agency or school demonstrates that the local educational agency or school has—

''(1) improved student performance;

''(2) increased participation in sustained professional development; and

''(3) made significant progress toward at least 1 of the following:

''(A) Reducing the number of out-of-field placements and teachers with emergency credentials.

''(B) Improving teaching practice.

''(C) Reducing the new teacher attrition rate for the local educational agency or school.

''(D) Increasing partnerships and linkages with institutions of higher education.

**"SEC. 2359. SUPPLEMENT NOT SUPPLANT.**

''Funds made available under this part shall be used to supplement and not supplant other Federal, State, and local funds expended to carry out activities relating to teacher programs or professional development.

**"SEC. 2360. NATIONAL ACTIVITIES.**

''(a) RESERVATION.—The Secretary shall reserve not more than 5 percent of the amount appropriated under section 2361 for each fiscal year for the national evaluation described in subsection (b) and the dissemination activities described in subsection (c).

''(b) NATIONAL EVALUATION.—

''(1) IN GENERAL.—The Secretary shall provide for an annual, independent, national evaluation of the activities assisted under this part not later than 3 years after the date of enactment of the Professional Development Reform Act. The evaluation shall include information on the impact of the activities assisted under this part on student performance.

''(2) STATE REPORTS.—Each State receiving an allotment under this part shall submit to the Secretary the results of the evaluation described under section 2355(3).

''(3) REPORT TO CONGRESS.—The Secretary annually shall submit to Congress a report that describes the information in the national evaluation and the State reports.

''(c) DISSEMINATION.—The Secretary shall collect and broadly disseminate information (including creating and maintaining a national database or clearinghouse) to help States, local educational agencies, schools, teachers, and institutions of higher education learn about effective professional development policies, practices, and programs, data projections of teacher and administrator supply and demand, and available teaching and administrator opportunities.

**"SEC. 2361. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this part $1,000,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004.''.

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By Mr. HARKIN (for himself, Mrs. LINCOLN, Mr. WELLSTONE, and Mrs. MURRAY):

S. 1443. A bill to amend section 10102 of the Elementary and Secondary Education Act of 1995 regarding elementary school and secondary school counseling; to the Committee on Health, Education, Labor, and Pensions.

ELEMENTARY AND SECONDARY SCHOOL COUNSELING IMPROVEMENT ACT OF 1999

Mr. HARKIN. Mr President, in April, the nation was rocked by an unspeakable act of violence at Columbine High School in Littleton, Colorado. Twelve innocent students, a heroic teacher and the two student gunmen were killed in the 8th deadly school shooting in 39 months.

Since that tragic incident, there has been a nation wide discussion on the causes of such violence and a search for solutions to prevent such occurrences in the future. I would like to take a few moments to discuss one innovative program that can help us prevent violent acts from happening in the first place.

Mr. President, children today are subjected to unprecedented social stresses, including the fragmentation of the family, drug and alcohol abuse, violence, child abuse and poverty. In 1988, the Des Moines Independent School District recognized the situation confronting young students and expanded counseling services in elementary schools.

The expanded counseling program—Smoother Sailing operates on the simple premise that we must get to kids early to prevent problems rather than waiting for a crisis. As a result, the district more than tripled the number of elementary school counselors to make sure that at least one well-trained professional is available in every single elementary school building.

Smoother Sailing began as a pilot program in 10 elementary schools. The program increased the number of counselors in the elementary schools so there is one counselor for every 250 students—the ratio recommended for an effective program. The participating schools began seeing many positive changes.

After two years, the schools participating in Smoother Sailing saw a dramatic reduction in the number of students referred to the office for disciplinary reasons.

During the 1987–88 school year, 157 students were referred to the office for disciplinary action. After two years of Smoother Sailing, the number of office referrals in those schools dropped to 83—a 47% reduction in office referrals.

During the same period, Des Moines elementary schools with a traditional crisis intervention counseling program had only a 21% reduction in office referrals.

There were other changes as well. Teachers in Smoother Sailing schools reported fewer classroom disturbances and principals noticed fewer fights in the cafeteria and on the playground. The schools and classrooms had become more disciplined learning environments. It was clear that Smoother Sailing was making a difference so the counseling program was expanded to all 42 elementary schools in Des Moines in 1990.

Smoother Sailing continues to be a success.

Smoother Sailing helps students solve problems in a positive manner. Assessments of 4th and 5th grade students show that students can generate more than one solution to a problem. Further, the types of solutions were positive and proactive. We know that the ability to effectively solve problems is essential for helping students make the right decisions when confronted with violence or drugs.

Smoother Sailing gets high marks in surveys of administrators, teachers and parents. They report a high degree of satisfaction with the program.

Ninety-five percent of parents surveyed said the counselor is a valuable part of my child's educational development. Ninety-three percent said they would seek assistance from the counselor if the child was experiencing difficulties at school.

Administrators credit Smoother Sailing with decreasing the number of student suspensions and referrals to the office for disciplinary action. In addition, principals report that the program is responsible for creating an atmosphere that is conducive to learning.

Experts tell us that to be effective, there should be at least one counselor for every 250 students. Unfortunately, the current student:counselor ratio is more than double the recommended level—it is 531:1. That means counselors are stretched to the limit and cannot devote the kind of attention to children that is needed.

In most schools, the majority of counselors are employed at the middle and secondary levels. Therefore, the situation is more acute in elementary schools where the student to counselor ratio is greater than 1000:1.

Mr. President, Smoother Sailing was the model for the Elementary School Counseling Demonstration Act, a section of the Elementary and Secondary School Act.

Today, along with Senators LINCOLN and WELLSTONE, I am introducing the Elementary and Secondary School Counseling Improvement Act of 1999. This legislation does three things.

First, it reauthorizes the Elementary School Counseling Demonstration Act and expands services to secondary schools.

Second, it authorizes $100 million in funding to hire school counselors, school psychologists and school social workers.

Finally, since the counselor shortage is particularly acute in elementary schools, the amendment requires that the first $60 million appropriated would go to provide grants for elementary schools.

Mr. President, CNN and USA Today recently conducted a public opinion poll of Americans. They asked what would make a difference in preventing a future outbreak of violence in our nation's schools.

The leading response was to restrict access to firearms. The second most popular response—a response selected by 60% of those polled—was to increase the number of counselors in our nation's schools.

We should heed the advice of the American people. We have a desperate

need to improve counseling services in our nation's schools and this legislation will be an important step in addressing this critical issue. I urge my colleagues to support this legislation.

This legislation is supported by several organizations—the American Counseling Association, the American School Counseling Association, the American Psychological Association, the National Association of School Psychologists, the School of Social Work Association of America and the National Association of Social Workers. I ask unanimous consent that a copy of the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 26, 1999.

DEAR SENATOR. We are writing to urge your support of the ''Elementary and Secondary Counseling Improvement Act'' introduced by Senator Tom Harkin (D–IA). The Act would increase and expand access to much needed counseling and mental health services for children in our nation's elementary and secondary schools.

According to the National Institute of Mental Health (NIMH), although 7.5 million children under the age of 18 require mental health services, only one in five receive them. As the tragedy of this year's school shootings remind us, students have mental, emotional, and behavioral needs which require the services of qualified counseling professionals. Additionally, counseling and mental health services are essential to help teachers provide quality instruction and enable students to achieve to high academic standards.

Unfortunately, in schools across the nation, the supply of qualified school counselors, school psychologists and school social workers is scarce. The U.S. average student-to-counselor ratio is 513:1. In states like California and Minnesota, one counselor serves more than 1,000 students, and in other states, one school psychologist serves as many as 2,300 students. Similar caseloads exist for school social workers; in one county in Georgia, one school social worker is responsible for over 4,000 students. These ratios make it nearly impossible for students to get the counseling and mental health services they need. This serious shortage of qualified professionals has undermined efforts to make schools safe, improve academic achievement, and has overly burdened teachers.

High caseloads are not the only obstacle facing a student in need of help. School counselors, school psychologists, and school social workers are often charged with miscellaneous administrative or paperwork duties, and may spend almost a quarter of their time on these tasks. Providers need to be able to provide direct services to student, teachers, families, and staff in schools.

The Elementary School Counseling Demonstration Act (ESCD) was first enacted with bi-partisan support as part of the Improving America's Schools Act in 1994. The Act provided counseling services through qualified school counselors, school psychologists, and school social workers. Senator Harkin's ''Elementary and Secondary Counseling Improvement Act'' would reauthorize the Elementary School Counseling Demonstration, and expand services to secondary schools.

The Elementary and Secondary Counseling Improvement Act would provide funding to schools to expand counseling programs and services provided by only hiring qualified school counselors, school psychologists, and social workers. The Act ensures that programs funded will be comprehensive and accountable by requiring that applicants:

Design the program to be developmental and preventative; Provide in-service training for school counselors, school psychologists, and school social workers; Convene an advisory board composed of parents, counseling professionals, teachers, school administrators, and community leaders to oversee the design and implementation of the program; and Require that counseling professionals spend at least 85% of their work time providing direct services to students and no more than 15% on administrative tasks.

We urge you to support Senator Harkin's Elementary and Secondary Counseling Improvement Act.

Sincerely,

American Counseling Association (AA).

American Psychological Association (APA).

National Association of School Psychologists (NASP).

National Association of Social Workers (NASW).

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By Mr. GRASSLEY (for himself and Mr. BURNS):

S. 1444. A bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit and increase the income limitation on the student loan interest deduction; to the Committee on Finance.

EXPANSION OF THE STUDENT LOAN INTEREST DEDUCTION

Mr. GRASSLEY. Mr. President, I am joined today by Senator BURNS introducing legislation to expand the student loan interest deduction. Specifically, my bill will repeal the sixty-month payment limitation and increase the income levels qualifying students for the tax deduction for student loan interest. I previously presented the elimination of the sixty-month student loan deductibility restriction in a bill in February. As a member of the Finance Committee, I have asked that both it and the income limit expansion I now propose be included in the Reconciliation bill that will be before the Senate this week. I am happy to report that both are in the committee reported bill.

In a move detrimental to the education of our nation's students, the Tax Reform Act of 1986 eliminated the tax deduction for student loan interest. Deeply troubled that this important relief was no longer available to young women and men trying to start their careers, since 1987 my colleagues on both sides of the aisle and I have sought to ease the heavy burden of paying back student loans by reinstating the tax deduction. In 1992, we succeeded in passing legislation to restore the deduction for student loan interest, only to be stymied by a veto as part of a larger bill with tax increases. After ten arduous years, our persistent work on behalf of America's students finally came to fruition when we succeeded in reinstating the deduction under the Taxpayer Relief Act of 1997. Our victory demonstrated Congress' sincere commitment to making educational opportunities available to all students and families across the nation, and confirmed our willingness to assist young Americans in acquiring the best education possible by easing the financial hardship they face.

While our endeavors in 1997 were progressive, we were unable to go as far as we wanted to go due to financial constraints. Because the nation was still in a fiscal crisis at that time, we were compelled to limit the deductibility of student loan interest to sixty payments, and to only those taxpayers with an adjusted gross income of between $40,000 and $55,000 filing individually or between $60,000 and $75,000 for married couples. Additionally, the deduction itself was phased in at $1000, and will cap out at $2500 in 2002.

In keeping the income limits for the deduction at such low income levels, we are letting a great opportunity to assist more young Americans pass us by. Setting the income cap at the current low mark does a disservice to some of our nation's most needy collegiate borrowers. A great number of students are forced to borrow heavily to acquire an education that will allow them to stay competitive in our global economy. The present income restriction punishes resourceful students who land jobs which pay salaries slightly above the meager cap, even though they may have been forced to borrow heavily to obtain their education due to limited means.

Currently, the deductibility of student loan interest is limited to a mere sixty loan payments, equivalent to five years plus time spent in forbearance or deferment. This payment limitation, like the income restriction, was put in place during our fiscal difficulties of 1997. Since we are now experiencing a great budget surplus with our booming economy, Congress now has the ability to expand on both of these areas where previously we were forced to scale back. As mentioned, I already introduced a bill, S. 471, that would eliminate the 60-month limit on student loan interest reductions.

Fortunately, our situation today is quite different than when we made our original improvements in 1997. Now, with our robust economy and budget surplus, we have a splendid opportunity to do what we were unable to do before. As the price of going to college has continued to spiral upward, student debt has risen to appalling levels. We must not shrink from our responsibility to provide additional relief to our students. We should repeal the sixty-month payment limitation. We should increase the income levels from $40,000 to $50,000 for single students, and, eliminating any marriage penalty, increase from $60,000 to $100,000 for married couples. The amount of the deduction would then be gradually phased out for taxpayers with incomes between $50,000 and $65,000 filing individually and between $100,000 and $115,000 for married couples. Let our actions clearly demonstrate that the United States Congress stands behind

all of our nation's students in their efforts to better their lives.

By expanding the student loan interest deduction, we will bring vital relief to some of our most deserving borrowers seeking the American dream. Rather than penalizing resourceful students who find jobs with incomes above the present cap, we will be rewarding the hard work and ingenuity of our students. We must continue to support young Americans who land jobs with salaries slightly above our current threshold yet still needing financial assistance.

Excessive student debt is a major problem for many students. As people in a position to help them, Congress must seek out more ways to be of service to our young people. In this time of economic plenty, it is our duty to invest in our students' education, for to do so is an investment in America's future. A well-deducted workforce is vital to maintain competitiveness in an ever-changing global economy. By broadening the income limits to receive the tax deduction for student loan interest, we demonstrate our commitment to education and maintaining the position of the United States at the pinnacle of the free world.

I urge my colleagues to join me in this effort to relieve the excessive burdens on those trying to better themselves and their families through education by loosening the income limits to quality for the tax deduction for student loan interest payments and eliminating the sixty-month payment limitation.

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By Mr. KOHL (for himself and Mr. REID):

S. 1445. A bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the Medicare and Medicaid programs; to the Committee on Finance.

PATIENT ABUSE PREVENTION ACT

Mr. KOHL. Mr. President, I rise today to reintroduce the Patient Abuse Prevention Act. I am pleased to be joined in this effort by Senator REID, who has worked tirelessly with me on this important legislation.

This bill is the product of collaboration and input from the administration, the health care industry, patient and employee advocates—who all have the same goal I do: protecting patients in long-term care from abuse, neglect, and mistreatment.

Last fall, the Department of Health and Human Services Office of Inspector General issued a report describing how easy it is for people with abusive and criminal backgrounds to find work in nursing homes. On September 14 of last year, the Senate Aging Committee held hearings on this disturbing problem, where we heard horrifying stories of elderly patients being abused by the very people who are charged with their care. While the vast majority of nursing home workers are dedicated and professional, even one instance of abuse is inexcusable. This should not be happening in a single nursing home in America.

Mr. President, it is estimated that more than 43 percent of Americans over the age of 65 will likely spend time in a nursing home. The number of people needing long-term care services will continue to increase as the Baby Boom generation ages. The vast majority of nursing homes, home health agencies and hospices do an excellent job in caring for their patients. But it only takes a few abusive staff to cast a dark shadow over what should be a healing environment.

A disturbing number of cases have been reported where workers with criminal backgrounds have been cleared to work in direct patient care, and have subsequently abused patients in their care. In 1997, the Milwaukee Journal-Sentinel ran a series of articles describing this problem, which led my home State of Wisconsin to pass a criminal background check law for health care workers. The legislation I introduce today follows their example and builds on their efforts.

Why is it necessary to act? Because it is just far too easy for a worker with a history of abuse to find employment and prey on the most vulnerable patients. The OIG report found that 5 percent of nursing home employees in two States had prior criminal records. The OIG also found that between 15–20 percent of those convicted of patient abuse had prior criminal records. It is just too easy for known abusers to find work in health care and continue to prey on patients.

Current state and national safeguards are inadequate to screen out abusive workers. All States are required to maintain registries of abusive nurse aides. But nurse aids are not the only workers involved in abuse, and other workers are not tracked at all. Even worse, there is no system to coordinate information about abusive nurse aides between States. A known abuser in Iowa would have little trouble moving to Wisconsin and continuing to work with patients there.

In addition, there is no Federal requirement that long-term care facilities conduct criminal background checks on prospective employees. People with violent criminal backgrounds—people who have already been convicted of murder, rape, and assault—could easily get a job in a nursing home or other health care setting without their past ever being discovered.

Our legislative will go a long way toward solving this problem. First, it will create a National Registry of abusive long-term care employees. States will be required to submit information from their current State registries to the National Registry. Facilities will be required to check the National Registry before hiring a prospective worker. Any worker with a substantiated finding of patient abuse will be prohibited from working in long-term care.

Second, the bill provides a second line of defense to protect patients from violent criminals. If the National Registry does not contain information about a prospective worker, the facility is then required to initiate an FBI background check. Any conviction for patient abuse or a relevant violent crime would bar that applicant from working with patients.

I realize that this legislation will not solve all instances of abuse. We still need to do more to stop abuse from occurring in the first place. But this bill will ensure that those who have already abused an elderly or disabled patient, and those who have committed violent crimes against people in the past, are kept away from vulnerable patients.

Mr. President, I want to repeat that I strongly believe that most long-term care providers and their staff work hard to deliver the highest quality care. However, it is imperative that Congress act immediately to get rid of those that don't. When a patient checks into a nursing home or hospice, or receives home health care, they should not have to give up their right to be free from abuse, neglect, or mistreatment.

Our nation's seniors made our country what it is today. It is our obligation to make sure we treat them with the dignity, care, and respect they deserve. I look forward to continuing to work with my colleagues, the administration, and the health care industry in this effort to protect patients. Our nation's seniors and disabled deserve nothing less than our full attention.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD. I also ask unanimous consent that a letter of support for this legislation from the National Citizens' Coalition for Nursing Home Reform be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1445

*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 ''Patient Abuse Prevention Act''.

**SEC. 2. ESTABLISHMENT OF PROGRAM TO PREVENT ABUSE OF NURSING FACILITY RESIDENTS.**

(a) NURSING FACILITY AND SKILLED NURSING FACILITY REQUIREMENTS.—

(1) MEDICAID PROGRAM.—Section 1919(b) of the Social Security Act (42 U.S.C. 1396r(b)) is amended by adding at the end the following:

''(8) SCREENING OF NURSING FACILITY WORKERS.—

''(A) BACKGROUND CHECKS ON APPLICANTS.—Subject to subparagraph (B)(ii), before hiring a nursing facility worker, a nursing facility shall—

''(i) give the worker written notice that the facility is required to perform background checks with respect to applicants;

''(ii) require, as a condition of employment, that such worker—

''(I) provide a written statement disclosing any conviction for a relevant crime or finding of patient or resident abuse;

''(II) provide a statement signed by the worker authorizing the facility to request the search and exchange of criminal records;

''(III) provide in person a copy of the worker's fingerprints; and

''(IV) provide any other identification information the Secretary may specify in regulation;

''(iii) initiate a check of the data collection system established under section 1128E in accordance with regulations promulgated by the Secretary to determine whether such system contains any disqualifying information with respect to such worker; and

''(iv) if that system does not contain any such disqualifying information—

''(I) request that the State initiate a State and national criminal background check on such worker in accordance with the provisions of subsection (e)(8); and

''(II) furnish to the State the information described in subclauses (II) through (IV) of clause (ii) not more than 7 days (excluding Saturdays, Sundays, and legal public holidays under section 6103(a) of title 5, United States Code) after completion of the check against the system initiated under clause (iii).

''(B) PROHIBITION ON HIRING OF ABUSIVE WORKERS.—

''(i) IN GENERAL.—A nursing facility may not knowingly employ any nursing facility worker who has any conviction for a relevant crime or with respect to whom a finding of patient or resident abuse has been made.

''(ii) PROVISIONAL EMPLOYMENT.—After complying with the requirements of clauses (i), (ii), and (iii) of subparagraph (A), a nursing facility may provide for a provisional period of employment for a nursing facility worker pending completion of the check against the data collection system described under subparagraph (A)(iii) and the background check described under subparagraph (A)(iv). Such facility shall maintain direct supervision of the worker during the worker's provisional period of employment.

''(C) REPORTING REQUIREMENTS.—A nursing facility shall report to the State any instance in which the facility determines that a nursing facility worker has committed an act of resident neglect or abuse or misappropriation of resident property in the course of employment by the facility.

''(D) USE OF INFORMATION.—

''(i) IN GENERAL.—A nursing facility that obtains information about a nursing facility worker pursuant to clauses (iii) and (iv) of subparagraph (A) may use such information only for the purpose of determining the suitability of the worker for employment.

''(ii) IMMUNITY FROM LIABILITY.—A nursing facility that, in denying employment for an applicant (including during the period described in subparagraph (B)(ii)), reasonably relies upon information about such applicant provided by the State pursuant to subsection (e)(8) or section 1128E shall not be liable in any action brought by such applicant based on the employment determination resulting from the information.

''(iii) CRIMINAL PENALTY.—Whoever knowingly violates the provisions of clause (i) shall be fined in accordance with title 18, United States Code, imprisoned for not more than 2 years, or both.

''(E) CIVIL PENALTY.—

''(i) IN GENERAL.—A nursing facility that violates the provisions of this paragraph shall be subject to a civil penalty in an amount not to exceed—

''(I) for the first such violation, $2,000; and

''(II) for the second and each subsequent violation within any 5-year period, $5,000.

''(ii) KNOWING RETENTION OF WORKER.—In addition to any civil penalty under clause (i), a nursing facility that—

''(I) knowingly continues to employ a nursing facility worker in violation of subparagraph (A) or (B); or

''(II) knowingly fails to report a nursing facility worker under subparagraph (C);

shall be subject to a civil penalty in an amount not to exceed $5,000 for the first such violation, and $10,000 for the second and each subsequent violation within any 5-year period.

''(F) DEFINITIONS.—In this paragraph:

''(i) CONVICTION FOR A RELEVANT CRIME.—The term 'conviction for a relevant crime' means any Federal or State criminal conviction for—

''(I) any offense described in paragraphs (1) through (4) of section 1128(a); and

''(II) such other types of offenses as the Secretary may specify in regulations, taking into account the severity and relevance of such offenses, and after consultation with representatives of long-term care providers, representatives of long-term care employees, consumer advocates, and appropriate Federal and State officials.

''(ii) DISQUALIFYING INFORMATION.—The term 'disqualifying information' means information about a conviction for a relevant crime or a finding of patient or resident abuse.

''(iii) FINDING OF PATIENT OR RESIDENT ABUSE.—The term 'finding of patient or resident abuse' means any substantiated finding by a State agency under subsection (g)(1)(C) or a Federal agency that a nursing facility worker has committed—

''(I) an act of patient or resident abuse or neglect or a misappropriation of patient or resident property; or

''(II) such other types of acts as the Secretary may specify in regulations.

''(iv) NURSING FACILITY WORKER.—The term 'nursing facility worker' means any individual (other than any volunteer) that has direct access to a patient of a nursing facility under an employment or other contract, or both, with such facility. Such term includes individuals who are licensed or certified by the State to provide such services, and nonlicensed individuals providing such services, as defined by the Secretary, including nurse assistants, nurse aides, home health aides, and personal care workers and attendants.''.

(2) MEDICARE PROGRAM.—Section 1819(b) of the Social Security Act (42 U.S.C. 1395i–3(b)) is amended by adding at the end the following:

''(8) SCREENING OF SKILLED NURSING FACILITY WORKERS.—

''(A) BACKGROUND CHECKS ON APPLICANTS.—Subject to subparagraph (B)(ii), before hiring a skilled nursing facility worker, a skilled nursing facility shall—

''(i) give the worker written notice that the facility is required to perform background checks with respect to applicants;

''(ii) require, as a condition of employment, that such worker—

''(I) provide a written statement disclosing any conviction for a relevant crime or finding of patient or resident abuse;

''(II) provide a statement signed by the worker authorizing the facility to request the search and exchange of criminal records;

''(III) provide in person a copy of the worker's fingerprints; and

''(IV) provide any other identification information the Secretary may specify in regulation;

''(iii) initiate a check of the data collection system established under section 1128E in accordance with regulations promulgated by the Secretary to determine whether such system contains any disqualifying information with respect to such worker; and

''(iv) if that system does not contain any such disqualifying information—

''(I) request that the State initiate a State and national criminal background check on such worker in accordance with the provisions of subsection (e)(6); and

''(II) furnish to the State the information described in subclauses (II) through (IV) of clause (ii) not more than 7 days (excluding Saturdays, Sundays, and legal public holidays under section 6103(a) of title 5, United States Code) after completion of the check against the system initiated under clause (iii).

''(B) PROHIBITION ON HIRING OF ABUSIVE WORKERS.—

''(i) IN GENERAL.—A skilled nursing facility may not knowingly employ any skilled nursing facility worker who has any conviction for a relevant crime or with respect to whom a finding of patient or resident abuse has been made.

''(ii) PROVISIONAL EMPLOYMENT.—After complying with the requirements of clauses (i), (ii), and (iii) of subparagraph (A), a skilled nursing facility may provide for a provisional period of employment for a skilled nursing facility worker pending completion of the check against the data collection system described under subparagraph (A)(iii) and the background check described under subparagraph (A)(iv). Such facility shall maintain direct supervision of the covered individual during the worker's provisional period of employment.

''(C) REPORTING REQUIREMENTS.—A skilled nursing facility shall report to the State any instance in which the facility determines that a skilled nursing facility worker has committed an act of resident neglect or abuse or misappropriation of resident property in the course of employment by the facility.

''(D) USE OF INFORMATION.—

''(i) IN GENERAL.—A skilled nursing facility that obtains information about a skilled nursing facility worker pursuant to clauses (iii) and (iv) of subparagraph (A) may use such information only for the purpose of determining the suitability of the worker for employment.

''(ii) IMMUNITY FROM LIABILITY.—A skilled nursing facility that, in denying employment for an applicant (including during the period described in subparagraph (B)(ii)), reasonably relies upon information about such applicant provided by the State pursuant to subsection (e)(6) or section 1128E shall not be liable in any action brought by such applicant based on the employment determination resulting from the information.

''(iii) CRIMINAL PENALTY.—Whoever knowingly violates the provisions of clause (i) shall be fined in accordance with title 18, United States Code, imprisoned for not more than 2 years, or both.

''(E) CIVIL PENALTY.—

''(i) IN GENERAL.—A skilled nursing facility that violates the provisions of this paragraph shall be subject to a civil penalty in an amount not to exceed—

''(I) for the first such violation, $2,000; and

''(II) for the second and each subsequent violation within any 5-year period, $5,000.

''(ii) KNOWING RETENTION OF WORKER.—In addition to any civil penalty under clause (i), a skilled nursing facility that—

''(I) knowingly continues to employ a skilled nursing facility worker in violation of subparagraph (A) or (B); or

''(II) knowingly fails to report a skilled nursing facility worker under subparagraph (C);

shall be subject to a civil penalty in an amount not to exceed $5,000 for the first such violation, and $10,000 for the second and each subsequent violation within any 5-year period.

''(F) DEFINITIONS.—In this paragraph:

''(i) CONVICTION FOR A RELEVANT CRIME.—The term 'conviction for a relevant crime' means any Federal or State criminal conviction for—

''(I) any offense described in paragraphs (1) through (4) of section 1128(a); and

''(II) such other types of offenses as the Secretary may specify in regulations, taking into account the severity and relevance of such offenses, and after consultation with representatives of long-term care providers, representatives of long-term care employees, consumer advocates, and appropriate Federal and State officials.

''(ii) DISQUALIFYING INFORMATION.—The term 'disqualifying information' means information about a conviction for a relevant crime or a finding of patient or resident abuse.

''(iii) FINDING OF PATIENT OR RESIDENT ABUSE.—The term 'finding of patient or resident abuse' means any substantiated finding by a State agency under subsection (g)(1)(C) or a Federal agency that a skilled nursing facility worker has committed—

''(I) an act of patient or resident abuse or neglect or a misappropriation of patient or resident property; or

''(II) such other types of acts as the Secretary may specify in regulations.

''(iv) SKILLED NURSING FACILITY WORKER.—The term 'skilled nursing facility worker' means any individual (other than any volunteer) that has direct access to a patient of a skilled nursing facility under an employment or other contract, or both, with such facility. Such term includes individuals who are licensed or certified by the State to provide such services, and nonlicensed individuals providing such services, as defined by the Secretary, including nurse assistants, nurse aides, home health aides, and personal care workers and attendants.''.

(b) STATE REQUIREMENTS.—

(1) MEDICAID PROGRAM.—

(A) EXPANSION OF STATE REGISTRY TO COLLECT INFORMATION ABOUT NURSING FACILITY EMPLOYEES OTHER THAN NURSE AIDES.—Section 1919 of the Social Security Act (42 U.S.C. 1396r) is amended—

(i) in subsection (e)(2)—

(I) in the paragraph heading, by striking ''NURSE AIDE REGISTRY'' and inserting ''NURSING FACILITY EMPLOYEE REGISTRY'';

(II) in subparagraph (A)—

(aa) by striking ''By not later than January 1, 1989, the'' and inserting ''The'';

(bb) by striking ''a registry of all individuals'' and inserting ''a registry of (I) all individuals''; and

(cc) by inserting before the period '', and (II) all other nursing facility employees with respect to whom the State has made a finding described in subparagraph (B)'';

(III) in subparagraph (B), by striking ''involving an individual listed in the registry'' and inserting ''involving a nursing facility employee''; and

(IV) in subparagraph (C), by striking ''nurse aide'' and inserting ''nursing facility employee or applicant for employment''; and

(ii) in subsection (g)(1)—

(I) in subparagraph (C)—

(aa) in the first sentence, by striking ''nurse aide'' and inserting ''nursing facility employee''; and

(bb) in the third sentence, by striking ''nurse aide'' each place it appears and inserting ''nursing facility employee''; and

(II) in subparagraph (D), by striking ''nurse aide'' each place it appears and inserting ''nursing facility employee''.

(B) FEDERAL AND STATE REQUIREMENT TO CONDUCT BACKGROUND CHECKS.—Section 1919(e) of the Social Security Act (42 U.S.C. 1396r(e)) is amended by adding at the end the following:

''(8) FEDERAL AND STATE REQUIREMENTS CONCERNING CRIMINAL BACKGROUND CHECKS ON NURSING FACILITY EMPLOYEES.—

''(A) IN GENERAL.—Upon receipt of a request by a nursing facility pursuant to subsection (b)(8) that is accompanied by the information described in subclauses (II) through (IV) of subsection (b)(8)(A)(ii), a State, after checking appropriate State records and finding no disqualifying information (as defined in subsection (b)(8)(F)(ii)), shall submit such request and information to the Attorney General and shall request the Attorney General to conduct a search and exchange of records with respect to the individual as described in subparagraph (B).

''(B) SEARCH AND EXCHANGE OF RECORDS BY ATTORNEY GENERAL.—Upon receipt of a submission pursuant to subparagraph (A), the Attorney General shall direct a search of the records of the Federal Bureau of Investigation for any criminal history records corresponding to the fingerprints or other positive identification information submitted. The Attorney General shall provide any corresponding information resulting from the search to the State.

''(C) STATE REPORTING OF INFORMATION TO NURSING FACILITY.—Upon receipt of the information provided by the Attorney General pursuant to subparagraph (B), the State shall—

''(i) review the information to determine whether the individual has any conviction for a relevant crime (as defined in subsection (b)(8)(F)(i));

''(ii) report to the nursing facility the results of such review; and

''(iii) in the case of an individual with a conviction for a relevant crime, report the existence of such conviction of such individual to the database established under section 1128E.

''(D) FEES FOR PERFORMANCE OF CRIMINAL BACKGROUND CHECKS.—

''(i) AUTHORITY TO CHARGE FEES.—

''(I) ATTORNEY GENERAL.—The Attorney General may charge a fee to any State requesting a search and exchange of records pursuant to this paragraph and subsection (b)(8) for conducting the search and providing the records. The amount of such fee shall not exceed the lesser of the actual cost of such activities or $50. Such fees shall be available to the Attorney General, or, in the Attorney General's discretion, to the Federal Bureau of Investigation, until expended.

''(II) STATE.—A State may charge a nursing facility a fee for initiating the criminal background check under this paragraph and subsection (b)(8), including fees charged by the Attorney General, and for performing the review and report required by subparagraph (C). The amount of such fee shall not exceed the actual cost of such activities.

''(ii) PROHIBITION ON CHARGING APPLICANTS OR EMPLOYEES.—An entity may not impose on an applicant for employment or an employee any charges relating to the performance of a background check under this paragraph.

''(E) REGULATIONS.—

''(i) IN GENERAL.—In addition to the Secretary's authority to promulgate regulations under this title, the Attorney General, in consultation with the Secretary, may promulgate such regulations as are necessary to carry out the Attorney General's responsibilities under this paragraph and subsection (b)(8), including regulations regarding the security, confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, and the imposition of fees.

''(ii) APPEAL PROCEDURES.—The Attorney General, in consultation with the Secretary, shall promulgate such regulations as are necessary to establish procedures by which an applicant or employee may appeal or dispute the accuracy of the information obtained in a background check conducted under this paragraph. Appeals shall be limited to instances in which an applicant or employee is incorrectly identified as the subject of the background check, or when information about the applicant or employee has not been updated to reflect changes in the applicant's or employee's criminal record.

''(F) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Attorney General shall submit a report to Congress on—

''(i) the number of requests for searches and exchanges of records made under this section;

''(ii) the disposition of such requests; and

''(iii) the cost of responding to such requests.''.

(2) MEDICARE PROGRAM.—

(A) EXPANSION OF STATE REGISTRY TO COLLECT INFORMATION ABOUT SKILLED NURSING FACILITY EMPLOYEES OTHER THAN NURSE AIDES.—Section 1819 of the Social Security Act (42 U.S.C. 1395i–3) is amended—

(i) in subsection (e)(2)—

(I) in the paragraph heading, by striking ''NURSE AIDE REGISTRY'' and inserting ''SKILLED NURSING CARE EMPLOYEE REGISTRY'';

(II) in subparagraph (A)—

(aa) by striking ''By not later than January 1, 1989, the'' and inserting ''The'';

(bb) by striking ''a registry of all individuals'' and inserting ''a registry of (I) all individuals''; and

(cc) by inserting before the period '', and (II) all other skilled nursing facility employees with respect to whom the State has made a finding described in subparagraph (B)'';

(III) in subparagraph (B), by striking ''involving an individual listed in the registry'' and inserting ''involving a skilled nursing facility employee''; and

(IV) in subparagraph (C), by striking ''nurse aide'' and inserting ''skilled nursing facility employee or applicant for employment''; and

(ii) in subsection (g)(1)—

(I) in subparagraph (C)—

(aa) in the first sentence, by striking ''nurse aide'' and inserting ''skilled nursing facility employee''; and

(bb) in the third sentence, by striking ''nurse aide'' each place it appears and inserting ''skilled nursing facility employee''; and

(II) in subparagraph (D), by striking ''nurse aide'' each place it appears and inserting ''skilled nursing facility employee''.

(B) FEDERAL AND STATE REQUIREMENT TO CONDUCT BACKGROUND CHECKS.—Section 1819(e) of the Social Security Act (42 U.S.C. 1395i–3(e)) is amended by adding at the end the following:

''(6) FEDERAL AND STATE REQUIREMENTS CONCERNING CRIMINAL BACKGROUND CHECKS ON SKILLED NURSING FACILITY EMPLOYEES.—

''(A) IN GENERAL.—Upon receipt of a request by a skilled nursing facility pursuant to subsection (b)(8) that is accompanied by the information described in subclauses (II) through (IV) of subsection (b)(8)(A)(ii), a State, after checking appropriate State records and finding no disqualifying information (as defined in subsection (b)(8)(F)(ii)), shall submit such request and information to the Attorney General and shall request the Attorney General to conduct a search and exchange of records with respect to the individual as described in subparagraph (B).

''(B) SEARCH AND EXCHANGE OF RECORDS BY ATTORNEY GENERAL.—Upon receipt of a submission pursuant to subparagraph (A), the Attorney General shall direct a search of the

records of the Federal Bureau of Investigation for any criminal history records corresponding to the fingerprints or other positive identification information submitted. The Attorney General shall provide any corresponding information resulting from the search to the State.

''(C) STATE REPORTING OF INFORMATION TO SKILLED NURSING FACILITY.—Upon receipt of the information provided by the Attorney General pursuant to subparagraph (B), the State shall—

''(i) review the information to determine whether the individual has any conviction for a relevant crime (as defined in subsection (b)(8)(F)(i));

''(ii) report to the skilled nursing facility the results of such review; and

''(iii) in the case of an individual with a conviction for a relevant crime, report the existence of such conviction of such individual to the database established under section 1128E.

''(D) FEES FOR PERFORMANCE OF CRIMINAL BACKGROUND CHECKS.—

''(i) AUTHORITY TO CHARGE FEES.—

''(I) ATTORNEY GENERAL.—The Attorney General may charge a fee to any State requesting a search and exchange of records pursuant to this paragraph and subsection (b)(8) for conducting the search and providing the records. The amount of such fee shall not exceed the lesser of the actual cost of such activities or $50. Such fees shall be available to the Attorney General, or, in the Attorney General's discretion, to the Federal Bureau of Investigation until expended.

''(II) STATE.—A State may charge a skilled nursing facility a fee for initiating the criminal background check under this paragraph and subsection (b)(8), including fees charged by the Attorney General, and for performing the review and report required by subparagraph (C). The amount of such fee shall not exceed the actual cost of such activities.

''(ii) PROHIBITION ON CHARGING APPLICANTS OR EMPLOYEES.—An entity may not impose on an applicant for employment or an employee any charges relating to the performance of a background check under this paragraph.

''(E) REGULATIONS.—

''(i) IN GENERAL.—In addition to the Secretary's authority to promulgate regulations under this title, the Attorney General, in consultation with the Secretary, may promulgate such regulations as are necessary to carry out the Attorney General's responsibilities under this paragraph and subsection (b)(9), including regulations regarding the security confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, and the imposition of fees.

''(ii) APPEAL PROCEDURES.—The Attorney General, in consultation with the Secretary, shall promulgate such regulations as are necessary to establish procedures by which an applicant or employee may appeal or dispute the accuracy of the information obtained in a background check conducted under this paragraph. Appeals shall be limited to instances in which an applicant or employee is incorrectly identified as the subject of the background check, or when information about the applicant or employee has not been updated to reflect changes in the applicant's or employee's criminal record.

''(F) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Attorney General shall submit a report to Congress on—

''(i) the number of requests for searches and exchanges of records made under this section;

''(ii) the disposition of such requests; and

''(iii) the cost of responding to such requests.''.

(c) APPLICATION TO OTHER ENTITIES PROVIDING LONG-TERM CARE SERVICES.—

(1) MEDICAID.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a) is amended—

(A) in paragraph (65), by striking the period and inserting ''; and''; and

(B) by inserting after paragraph (65) the following:

''(66) provide that any entity that is eligible to be paid under the State plan for providing long-term care services for which medical assistance is available under the State plan to individuals requiring long-term care complies with the requirements of subsections (b)(8) and (e)(8) of section 1919.''.

(2) MEDICARE.—Part D of title XVIII of the Social Security Act (42 U.S.C. 1395x et seq.) is amended by adding at the end the following:

''APPLICATION OF SKILLED NURSING FACILITY PREVENTIVE ABUSE PROVISIONS TO ANY PROVIDER OF SERVICES OR OTHER ENTITY PROVIDING LONG-TERM CARE SERVICES

''SEC. 1897. The requirements of subsections (b)(8) and (e)(6) of section 1819 shall apply to any provider of services or any other entity that is eligible to be paid under this title for providing long-term care services to an individual entitled to benefits under part A or enrolled under part B (including an individual provided with a Medicare+Choice plan offered by a Medicare+Choice organization under part C).''.

(d) REIMBURSEMENT OF REASONABLE COSTS FOR BACKGROUND CHECKS.—The Secretary of Health and Human Services shall factor into any payment system under titles XVIII and XIX of the Social Security Act the reasonable costs of the requirements of sections 1819(b)(8) and 1919(b)(8) of such Act, as added by this section, incurred by any entity subject to such requirements.

**SEC. 3. INCLUSION OF ABUSIVE NURSING FACILITY WORKERS IN THE DATABASE ESTABLISHED AS PART OF NATIONAL HEALTH CARE FRAUD AND ABUSE DATA COLLECTION PROGRAM.**

(a) INCLUSION OF ABUSIVE ACTS WITHIN A LONG-TERM CARE FACILITY.—Section 1128E(g)(1)(A) of the Social Security Act (42 U.S.C. 1320a–7e(g)(1)(A)) is amended—

(1) by redesignating clause (v) as clause (vi); and

(2) by inserting after clause (iv), the following:

''(v) A finding of abuse or neglect of a patient or a resident of a long-term care facility, or misappropriation of such a patient's or resident's property.''.

(b) COVERAGE OF LONG-TERM CARE FACILITY EMPLOYEES.—Section 1128E(g)(2) of the Social Security Act (42 U.S.C. 1320a–7e(g)(2)) is amended by inserting '', and includes any individual of a long-term care facility (other than any volunteer) that has direct access to a patient or resident of such a facility under an employment or other contract, or both, with the facility (including individuals who are licensed or certified by the State to provide services at the facility, and nonlicensed individuals, as defined by the Secretary, providing services at the facility, including nurse assistants, nurse aides, home health aides, and personal care workers and attendants)'' before the period.

(c) REPORTING BY LONG-TERM CARE FACILITIES.—

(1) IN GENERAL.—Section 1128E(b)(1) of the Social Security Act (42 U.S.C. 1320a–7e(b)(1)) is amended by striking ''and health plan'' and inserting '', health plan, and long-term care facility''.

(2) CORRECTION OF INFORMATION.—Section 1128E(c)(2) of the Social Security Act (42 U.S.C. 1320a–7e(c)(2)) is amended by striking ''and health plan'' and inserting '', health plan, and long-term care facility''.

(d) ACCESS TO REPORTED INFORMATION.—Section 1128E(d)(1) of the Social Security Act (42 U.S.C. 1320a–7e(d)(1)) is amended by striking ''and health plans'' and inserting '', health plans, and long-term care facilities''.

(e) MANDATORY CHECK OF DATABASE BY LONG-TERM CARE FACILITIES.—Section 1128E(d) of the Social Security Act (42 U.S.C. 1320a–7e(d)) is amended by adding at the end the following:

''(3) MANDATORY CHECK OF DATABASE BY LONG-TERM CARE FACILITIES.—A long-term care facility shall check the database maintained under this section prior to hiring under an employment or other contract, or both, any individual as an employee of such a facility who will have direct access to a patient or resident of the facility (including individuals who are licensed or certified by the State to provide services at the facility, and nonlicensed individuals, as defined by the Secretary, that will provide services at the facility, including nurse assistants, nurse aides, home health aides, and personal care workers and attendants).''.

(f) DEFINITION OF LONG-TERM CARE FACILITY.—Section 1128E(g) of the Social Security Act (42 U.S.C. 1320a–7e(g)) is amended by adding at the end the following:

''(6) LONG-TERM CARE FACILITY.—The term 'long-term care facility' means a skilled nursing facility (as defined in section 1819(a)), a nursing facility (as defined in section 1919(a)), a home health agency, a hospice facility, an intermediate care facility for the mentally retarded (as defined in section 1905(d)), or any other facility that provides long-term care services and receives payment for such services under the medicare program under title XVIII or the medicaid program under title XIX.''.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the amendments made by this section, $10,200,000 for fiscal year 2000.

**SEC. 4. PREVENTION AND TRAINING DEMONSTRATION PROJECT.**

(a) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish a demonstration program to provide grants to develop information on best practices in patient abuse prevention training (including behavior training and interventions) for managers and staff of hospital and health care facilities.

(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall be a public or private nonprofit entity and prepare and submit to the Secretary of Health and Human Services an application at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF FUNDS.—Amounts received under a grant under this section shall be used to—

(1) examine ways to improve collaboration between State health care survey and provider certification agencies, long-term care ombudsman programs, the long-term care industry, and local community members;

(2) examine patient care issues relating to regulatory oversight, community involvement, and facility staffing and management with a focus on staff training, staff stress management, and staff supervision;

(3) examine the use of patient abuse prevention training programs by long-term care entities, including the training program developed by the National Association of Attorneys General, and the extent to which such programs are used; and

(4) identify and disseminate best practices for preventing and reducing patient abuse.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such

sums as may be necessary to carry out this section.

**SEC. 5. EFFECTIVE DATE.**

The provisions of and amendments made by the Act shall apply, without regard to whether implementing regulations are in effect, to any individual applying for employment or hired for such employment—

(1) by any skilled nursing facility (as defined in section 1819(a) of the Social Security Act) or any nursing facility (as defined in section 1919(a) of such Act), on or after the date which is 6 months after the date of enactment of this Act,

(2) by any home health agency, on or after the date which is 12 months after such date of enactment, and

(3) by any hospice facility, any intermediate care facility for the mentally retarded (as defined in section 1905(d) of the Social Security Act), or any other facility that provides long-term care services and receives payment for such services under the medicare program under title XVIII of such Act or the medicaid program under title XIX of such Act, on or after the date which is 18 months after such date of enactment.

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NATIONAL CITIZENS' COALITION FOR NURSING HOME REFORM,
*Washington, DC, July 21, 1999.*

Hon. HERBERT KOHL,
*U.S. Senate, Washington, DC.*

DEAR SENATOR KOHL: The National Citizens' Coalition for Nursing Home Reform (NCCNHR) commends you and your staff for your initiative in seeking to improve care and conditions in long-term care facilities. NCCNHR is a non-profit consumer organization whose mission is to improve the quality of care and life for long term care residents. Our organization represents residents and their advocates. We work closely with the nation's long-term care ombudsmen and house the National Long Term Care Ombudsman Resource Center.

We strongly support your proposed legislation cited as the Patient Abuse Prevention Act, which would require criminal background checks for nursing home workers. This legislation would provide residents protection from individuals with a history of committing crimes against residents. It would also create a much needed National Registry for long-term care employees with a history of abuse, to be used by nursing homes hiring employees for their facilities.

In particular, NCCNHR applauds your revisions to last year's bill, the ''Long-Term Care Patient Protection Act of 1998'' to include (1) a requirement that criminal background checks of employees will be conducted in all facilities (including specifically, nursing homes, home health, and hospices); (2) that applicants may not be charged for the costs of the checks; (3) that applicants who challenge the accuracy of the background check will also be able to appeal the decision and (4) that there is no longer a prohibition on Medicare and Medicaid reimbursement for the costs of conducting background checks.

We strongly urge, however, that the legislation also expand its language to provide criminal background checks on all long-term care workers and not just employees who have direct access to residents. Considering the vulnerability of long-term care residents, criminal background checks should be conducted on all workers, including contract workers, in all health care settings, including home care, and assisted living.

Again, NCCNHR congratulates you, Senator Kohl, on your persistence and foresight. If you need further information, contact me or Ana Rivas-Beck, J.D., Law and Policy Specialist.

Sincerely,

ELMA HOLDER,
*Founder.*

Mr. REID. Mr. President, I rise today to join my colleague, Senator KOHL, in introducing the ''Patient Abuse Prevention Act.'' This legislation would help protect our nation's most vulnerable citizens by keeping workers with criminal and abusive backgrounds out of our long-term care facilities.

It is simply too easy for workers with criminal or abusive histories to gain employment in long-term care facilities. A report released last year by the Office of the Inspector General at the Department of Health and Human Services (HHS) confirmed that current regulations were not sufficient to protect the frail and elderly from being placed in the hands of known abusers and criminals. If we do not take steps to keep workers with criminal and abusive backgrounds out of our long-term care facilities, the growing number of reports of abuse and theft in these facilities will only continue to increase.

The ''Patient Abuse Prevention Act'' would give employers the tools they need to weed out potential employees who are unfit to provide care to the elderly because of abusive or criminal backgrounds. Our bill would create a national registry of abusive workers within an existing database at HHS. It would also expand existing State nurse aide registries to include substantiated findings of abuse by all facility employees, not just nurse aides. States would submit any existing or newly acquired information contained in the State registries to the national registry. This would ensure that once an employee is added to the national registry, the offender will not be able to simply cross state lines and find employment in another facility where he may continue to prey on the frail and elderly.

Our bill would require all long-term care facilities to initiate a search of the national registry of abusive workers when considering a potential employee. If the prospective employee is not listed on the registry, the facility would then conduct a State and national criminal background check on the individual through the Federal Bureau of Investigations.

The Inspector General for the Department of Health and Human Services reports that 46 percent of facilities believe that incidents of abuse are under-reported. Our bill would require long-term care facilities to report all instances of resident neglect, abuse, or theft by an employee to the State. This would ensure that offenders are reported and added to the national registry before they have the opportunity to strike again.

Over the past few years, Senator KOHL and I have worked to ensure that our frail and elderly are not placed in the hands of criminals. During the 105th Congress, we introduced similar legislation and conducted hearings through the Senate Special Committee on Aging. This bill is a culmination of our efforts to institute greater protections for all residents of long-term care facilities.

One of the most difficult times for any individual or family is when they must make the decision to rely upon the support and services of a long-term care facility. Families should not have to live with the fear that their loved one is being left in the hands of a criminal. Last year, Richard Meyer testified before the Senate Aging Committee about the sexual assault of his 92-year-old mother by a male certified nursing assistant who had previously been charged and convicted for sexually assaulting a young girl. This legislation would prevent tragedies like this one from occurring in the future.

I have visited countless long-term care facilities in my home state of Nevada. During these visits, I have always been impressed by the compassion and dedication of the staff. Most nurse aides and health care workers are professional, honest, and dedicated. Unfortunately, it only takes one abusive staff member to terrorize the lives of the residents. That is why we must work to weed out the ''bad apples'' who do not have the best interest of the residents in mind. I urge you to join Senator KOHL and me in our efforts to provide greater protections for all residents of long-term care facilities.

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By Mr. LOTT:

S. 1446. A bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions; to the Committee on Finance.

STATE AND LOCAL GOVERNMENT ESSENTIAL SERVICES FINANCING LEGISLATION

Mr. LOTT. Mr. President, I rise today to introduce legislation to help state and local governments more effectively finance the cost of essential services such as schools, streets, and water and sewer systems.

By easing tax law restrictions on the refinancing of certain bonds, this proposal would allow local jurisdictions to take advantage of favorable market interest rates. Financing the essential projects of our communities is primarily a state and local government responsibility. Federal tax laws should make it easier—not more difficult—for them to lessen the burden of taxes and other governmental charges on our citizens.

The proposal would adjust tax law restrictions on the refinancing of certain bonds issued to provide services such as government-owned schools, hospitals, streets and water and sewer systems.

Under current tax rules, most state and local governments may undertake an advance refunding of bonded indebtedness only one time and are thus unable to take full advantage of periods when market interest rates are low.

This legislation would allow every state and local government an additional opportunity to refinance bonded indebtedness issued to finance essential governmental projects.

Furthermore, this legislation would give state and local governments flexibility skin to that of a homeowner who refinances a mortgage to reduce monthly payments and thereby increase income. The federal government should not expect state and local governments to shoulder the burden of financing local infrastructure, and then deny them the flexibility to handle their own affairs in the most efficient and cost-effective manner. The change will help continue shifting power and control to local government where it belongs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1446

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

**SECTION 1. ADDITIONAL ADVANCE REFUNDINGS OF CERTAIN GOVERNMENTAL BONDS.**

(a) IN GENERAL.—Section 149(d)(3)(A)(i) of the Internal Revenue Code of 1986 (relating to advance refundings of other bonds) is amended—

(1) by striking ''or'' at the end of subclause (I),

(2) by adding ''or'' at the end of subclause (II), and

(3) by inserting after subclause (II) the following:

''(III) the 2nd advance refunding of the original bond if the original bond was issued after 1985 or the 3rd advance refunding of the original bond if the original bond was issued before 1986, if, in either case, the original bond was issued as part of an issue 90 percent or more of the net proceeds of which were used to finance governmental facilities used for 1 or more essential governmental functions (within the meaning of section 141(c)(2)),''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to refunding bonds issued on or after the date of enactment of this Act.

## ADDITIONAL COSPONSORS

S. 10

At the request of Mr. DASCHLE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 10, a bill to provide health protection and needed assistance for older Americans, including access to health insurance for 55 to 65 year olds, assistance for individuals with long-term care needs, and social services for older Americans.

S. 37

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 37, a bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997.

S. 71

At the request of Ms. SNOWE, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 71, a bill to amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with Hepatitis C, and for other purposes.

S. 75

At the request of Mr. LUGAR, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 75, a bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers.

S. 76

At the request of Mr. LUGAR, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 76, a bill to phase-out and repeal the Federal estate and gift taxes and the tax on generational-skipping transfers.

S. 77

At the request of Mr. LUGAR, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 77, a bill to increase the unified estate and gift tax credit to exempt small businesses and farmers from estate taxes.

S. 78

At the request of Mr. LUGAR, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 78, a bill to amend the Internal Revenue Code of 1986 to increase the gift tax exclusion to $25,000.

S. 88

At the request of Mr. BUNNING, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Connecticut (Mr. DODD), the Senator from Kentucky (Mr. MCCONNELL), and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 88, a bill to amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

S. 309

At the request of Mr. MCCAIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 309, a bill to amend the Internal Revenue Code of 1986 to provide that a member of the uniformed services shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence.

S. 335

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 407

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 407, a bill to reduce gun trafficking by prohibiting bulk purchases of handguns.

S. 409

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. LEAHY) 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. 471

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 471, a bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit on student loan interest deductions.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. BOXER) 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. 484

At the request of Mr. CAMPBELL, the name of the Senator from New Mexico (Mr. BINGAMAN) 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. 662

At the request of Mr. CHAFEE, the names of the Senator from Nevada (Mr. BRYAN), and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 664

At the request of Mr. CHAFEE, the names of the Senator from Indiana (Mr. BAYH), and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 800

At the request of Mr. BURNS, the name of the Senator from Kansas (Mr.

BROWNBACK) was added as a cosponsor of S. 800, a bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

S. 861

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 861, a bill to designate certain Federal land in the State of Utah as wilderness, and for other purposes.

S. 915

At the request of Mr. GRAMM, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 915, a bill to amend title XVIII of the Social Security Act to expand and make permanent the medicare subvention demonstration project for military retirees and dependents.

S. 956

At the request of Ms. SNOWE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 956, a bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss.

S. 1131

At the request of Mr. EDWARDS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1131, A bill to promote research into, and the development of an ultimate cure for, the disease known as Fragile X.

S. 1144

At the request of Mr. VOINOVICH, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1169

At the request of Mr. MCCAIN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1169, a bill to require that certain multilateral development banks and other lending institutions implement independent third party procurement monitoring, and for other purposes.

S. 1172

At the request of Mr. TORRICELLI, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1172, a bill to provide a patent term restoration review procedure for certain drug products.

S. 1200

At the request of Ms. SNOWE, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 1200, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 1203

At the request of Ms. MIKULSKI, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1203, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

S. 1211

At the request of Mr. BENNETT, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1211, a bill to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

S. 1266

At the request of Mr. GORTON, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1266, a bill to allow a State to combine certain funds to improve the academic achievement of all its students.

S. 1272

At the request of Mr. NICKLES, the names of the Senator from Tennessee (Mr. FRIST) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

S. 1293

At the request of Mr. COCHRAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1293, a bill to establish a Congressional Recognition for Excellence in Arts Education Board.

SENATE CONCURRENT RESOLUTION 9

At the request of Ms. SNOWE, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of Senate Concurrent Resolution 9, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE CONCURRENT RESOLUTION 32

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of Senate Concurrent Resolution 32, a concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program.

SENATE CONCURRENT RESOLUTION 34

At the request of Mr. SPECTER, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of Senate Concurrent Resolution 34, a concurrent resolution relating to the observence of ''In Memory'' Day.

SENATE RESOLUTION 95

At the request of Mr. THURMOND, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Kansas (Mr. ROBERTS), the Senator from Nebraska (Mr. HAGEL), the Senator from Virginia (Mr. ROBB), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of Senate Resolution 95, a resolution designating August 16, 1999, as ''National Airborne Day.''

SENATE RESOLUTION 99

At the request of Mr. REID, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of Senate Resolution 99, a resolution designating November 20, 1999, as ''National Survivors for Prevention of Suicide Day.''

SENATE RESOLUTION 118

At the request of Mr. REID, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of Senate Resolution 118, a resolution designating December 12, 1999, as ''National Children's Memorial Day.''

SENATE RESOLUTION 128

At the request of Mr. COCHRAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of Senate Resolution 128, a resolution designating March 2000, as ''Arts Education Month.''

## SENATE RESOLUTION 164—CONGRATULATING THE BLACK BEARS OF THE UNIVERSITY OF MAINE FOR WINNING THE 1999 NCAA HOCKEY CHAMPIONSHIP

Ms. SNOWE (for herself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 164

Whereas the Black Bears of the University of Maine defeated the Wildcats of the University of New Hampshire by a score of 3 to 2 in overtime in Anaheim, California, on April 3, 1999, to win the 1999 NCAA hockey championship;

Whereas the Maine Black Bears finished their season with an impressive record of 31–6–4, losing only 1 game at home;

Whereas the Maine Black Bears have brought the NCAA hockey championship home to Maine for the 2d time this decade;

Whereas the Maine Black Bears coaching staff and players displayed outstanding dedication, teamwork, and sportsmanship throughout the season to achieve collegiate hockey's highest honor; and

Whereas the Maine Black Bears have brought pride and honor to the State of Maine: Now, therefore, be it

*Resolved,* That the Senate congratulates the Black Bears of the University of Maine for winning the 1999 NCAA hockey championship.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the president of the University of Maine.

• Ms. SNOWE. Mr. President, I rise today to congratulate the University of Maine Black Bear hockey team—winner of the National Collegiate Athletic Association Division I hockey championship for the second time this decade.

Mr. President, collegiate athletics have been an important part of the educational experience for generations. As an adjunct to academics, collegiate sports at their best teach the values of teamwork, the virtues of good sportsmanship, the lessons of disappointment, and the joys of personal as well as collective achievement.

Collegiate sports also bring communities and, often, entire states together. In Maine, there are few places charged with the level of excitement and comradery you'll find in Orono's Alfond Arena, where the action is close, the play intense, and the pride palpable.

But you don't need to be at the Alfond to feel the excitement. All Over Maine, families gather to watch their team and cheer ''Go Blue''—from Fort Kent to Calais to Cumberland to Kittery.

And this year especially, the Black Bears gave us a lot to cheer about. With a 31, 6 and 4 record, the 1998–1999 Maine Black Bears hockey team clearly played to win—and achieved that goal with remarkable regularity. And with only one loss coming at home, the Black Bears at Alfond were almost as sure a thing as snow in January.

In the playoffs—which included three New England Teams—the Black Bears continued to thrill all of Maine, rewarding audiences with college hockey as it was meant to be played.

Maine's players never gave in and they never gave up. Unyielding in their play, believing in themselves to the very end, Maine clinched the championship in a hard-fought, well-played overtime game against a superb University of New Hampshire team. And at that moment, Mainers near and far—even those who didn't attend my alma mater—were reunited with each other in the spirit of fellowship and victory.

So it is an honor for me to commend each and every member of the Black Bear team—not only for their tremendous commitment to personal excellence, but also to the success of the entire team.

In particular, seniors Steve Kariya, Marcus Gustafsson, Jason Vitorino, Bobby Stewart, and David Cullen thrilled us with their outstanding play and their remarkable leadership. And Maine's goalie, junior Aflie Michaud, deserves special mention for stopping an astounding 46 shots—a feat that rightfully brought him the honor of being named the tournament's most valuable player.

Finally, I applaud the Black Bear coaching staff for a job well done. You can't win without the fundamentals, and Maine's coaches certainly had this team prepared to take the ice—just ask their opponents. But perhaps most importantly, they took young men who were talented in their own right and made them into something even far more formidable—a singular, unstoppable force that would not be denied in its quest to become the very best.

Mr. President, there is something about excellence, especially at the highest levels of competition, that elevates all those who come in contact with it. And the magic of a sport like hockey is that, even if you have never strapped on a skate, never taken a slapshot, never iced a puck, never scored a hat trick, you're amazed by the passion of those who do. You're inspired by the athleticism and artistry. And you come to believe that perhaps we all have the potential for greatness, if only we are willing to work hard enough and care deeply enough to pursue our dreams.

The 1999 Maine Black Bears hockey team had the kind of year that dreams are made of. Today, by virtue of posting a win in the last game of the last NCAA Hockey tournament of the century, Maine is truly the final word in college hockey.

On behalf of the people of Maine, I commend the players, staff, and administration at the University of Maine hockey program for a season to remember. All of Maine is very proud, and we look forward to many more seasons of excitement in the new millennium.●

Ms. COLLINS. Mr. President, I rise today to join Senator SNOWE in offering a resolution congratulating the University of Maine Men's Ice Hockey team, who, as many of my colleagues know, won the 1999 NCAA Division I Hockey Championship earlier this year.

Like all who watched the thrilling championship game on April 3, I was on the edge of my seat when Marcus Gustafsson scored the game-winning goal to give the Black Bears a heart-stopping 3–2 overtime victory over the University of New Hampshire Wildcats. This incredible victory gave the Black Bears their second national championship in seven years—and nearly gave me a heart attack. I must say, had the game not been as close as it was, I would have been able to relax a bit more that night. But as any sports fan knows, a close game—particularly a game that is won in overtime—is all the more rewarding, and much more befitting as the crowning achievement of a national champion.

In Maine, where we take our sports seriously despite not having any major league sports teams, the Black Bears are a tremendous source of pride. As anyone traveling on the Maine Turnpike can tell you, signs that once welcomed you to ''Vacationland'' now welcome you to the home of the NCAA Hockey Champions. This year the Black Bears once again earned our admiration with an impressive record of 31 wins, 6 losses, and 4 ties. Also, they repeatedly wowed the faithful Maine fans by winning all but one game on their home ice—the beloved Alfond Arena.

Throughout the season, the players and coaching staff all showed tremendous dedication and heart, and their ability to work together as a team was second to none. They advanced boldly through the NCAA tournament, beating Boston College in overtime at the ''Frozen Four,'' and ultimately earned the right to play in the championship game against the University of New Hampshire Wildcats—a team that had beaten the Black Bears twice earlier in the season. Not to be denied, the Black Bears persevered and beat the Wildcats when it mattered the most.

True to form for any national championship team, the Black Bears have a tremendous amount of talent. Four Maine men were selected in this year's National Hockey League draft, and I suspect that several more of their teammates will eventually join them in playing professional hockey. What made this team great, however, was its strong determination, its ability to work together, and its perseverance. It is these qualities that produce championships, and they are qualities that will continue to serve these fine young men very well—both on and off the ice.

Since winning the championship, the Black Bears have enjoyed a substantial amount of much-deserved recognition. I was proud to be among those fans who were on hand to welcome the victorious team home, and I was also pleased to speak at an awards dinner in the team's honor. Soon, Maine's players and coaches will be honored by the President at the White House. Therefore, I believe it is altogether fitting and proper that the Senate add its voice, and recognize the Black Bears' accomplishments, by adopting the resolution that I so proudly offer with Senator SNOWE. While the Senate chamber may not be Alfond Arena, it is most appropriate that I close my remarks with the chant, ''M-A-I-N-E Goooooo Blue!''

I urge my colleagues to support this resolution.

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## SENATE RESOLUTION 165—A RESOLUTION IN MEMORY OF SENIOR JUDGE FRANK M. JOHNSON, JR. OF THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

Mr. HATCH (for himself, Mr. LEAHY, Mr. SHELBY, Mr. SESSIONS, Mr. GRASSLEY, Mr. BIDEN, Mr. KENNEDY, Mr. KOHL, Mr. DEWINE, Mr. FEINGOLD, and Mr. FITZGERALD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 165

Whereas Frank M. Johnson, Jr. was appointed a United States District Judge in Alabama by President Eisenhower in 1955;

Whereas Judge Johnson was elevated to the United States Court of Appeals for the Eleventh Circuit by President Carter in 1979;

Whereas in a time when men of lesser fortitude would have avoided direct confrontation of the highly unpopular issues of school desegregation and voting rights for African-Americans, Judge Johnson stood firm in upholding the Constitution and the law;

Whereas Judge Johnson struck down the Montgomery, Alabama law that had mandated that Rosa Parks sit in the back of a

city bus, because he believed that ''separate, but equal'' was inherently unequal;

Whereas Johnson upheld the constitutionality of federal laws granting African-Americans the right to vote in Alabama elections, because he believed in the concept of ''one man, one vote'';

Whereas despite tremendous pressure from Governor George Wallace, Judge Johnson allowed the voting rights march from Selma to Montgomery to proceed, thus stirring the national conscience to enact the Voting Rights Act of 1965;

Whereas today, around a courthouse that bears Frank Johnson's name in Montgomery, Alabama there are integrated schools, buses and lunch counters, and representative democracy flourishes in Alabama with African-American state, county, and municipal officials who won their offices in fair elections with the votes of African-American and white citizens;

Whereas in part because of Judge Johnson's upholding of the law, attitudes that were once intolerant and extreme have dissipated;

Whereas the members of the Senate extend our deepest sympathies to Judge Johnson's family and the host of friends that he had across the country;

Whereas Judge Johnson passed away at his home in Montgomery, Alabama on July 23, 1999;

Whereas the American people will always remember Judge Frank M. Johnson, Jr. for exemplifying unwavering moral courage in the advancement of the wholly American ideal that ''all men are created equal'' and deserve ''equal protection of the laws'' and for upholding the law: Now, therefore, be it

*Resolved by the Senate*, That—

(1) The Senate hereby honors the memory of Judge Frank M. Johnson, Jr. for his exemplary service to his country and for his outstanding example of moral courage; and

(2) when the Senate adjourns on this date it shall do so out of respect to the memory of Judge Frank M. Johnson, Jr.

## SENATE RESOLUTION 166—RELATING TO THE RECENT ELECTIONS IN THE REPUBLIC OF INDONESIA

Mr. THOMAS submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 166

Whereas the Republic of Indonesia is the world's fourth most populous country, has the world's largest Muslim population, and is the second largest country in East Asia;

Whereas Indonesia has played an increasingly important leadership role in maintaining the security and stability of Southeast Asia, especially through its participation in the Association of Southeast Asian Nations (ASEAN);

Whereas in response to the wishes of the people of Indonesia, President Suharto resigned on May 21, 1998, in accordance with Indonesia's constitutional processes;

Whereas the government of his successor, President Bacharuddin J. Habibie, has pursued a transition to genuine democracy, establishing a new governmental structure, and developing a new political order;

Whereas President Habibie signed several bills governing elections, political parties, and the structure of legislative bodies into law on February 1, 1999, and scheduled the first truly democratic national election since 1955;

Whereas on June 7, 1999, elections were held for the Dewan Perwakilan Rakyat (DPR) which, despite some irregularities, were deemed to be free, fair, and transparent according to international and domestic observers;

Whereas over 100 million people, more than ninety percent of Indonesia's registered voters, participated in the election, demonstrating the Indonesian people's dedication to democracy;

Whereas the ballot counting process has been completed and the unofficial results announced;

Whereas the official results will be announced in the near future, and it is expected by all parties that the official results will mirror the unofficial results; and

Whereas Indonesia's military has indicated that it will abide by the results of the election; Now, therefore, be it

*Resolved*, That the Senate:

(1) congratulates the people of Indonesia on carrying out the first free, fair, and transparent national elections in forty-four years;

(2) supports the aspirations of the Indonesian people in pursuing a transition to genuine democracy;

(3) calls upon all Indonesian leaders, political party members, military personnel, and the general public to respect the outcome of the elections, and to uphold that outcome pending the selection of the new President by the Majelis Permusyawaratan Rakyat (MPR) later this year;

(4) calls for the convening of the MPR and the selection of the next President as soon as practicable under Indonesian law in order to reduce the impact of continued uncertainty on the country's political stability and to enhance the prospects for the country's economic recovery;

(5) calls upon the present ruling Golkar party to work closely with any successor government in assuring a smooth transition to a new government; and

(6) urges the present government, and any new government, to continue to work to ensure a stable and secure environment in East Timor by:

(A) assisting in disarming and disbanding any militias on the island;

(B) granting full access to East Timor to groups such as the United Nations, international humanitarian organizations, human rights monitors, and similar nongovernmental organizations;

(C) upholding its commitment to cooperate fully with the United Nations Assistance Mission for East Timor (UNAMET).

## SENATE RESOLUTION 167—COMMENDING THE GEORGES BANK REVIEW PANEL ON THE RECENT REPORT RECOMMENDING EXTENSION OF THE MORATORIUM ON OIL AND GAS EXPLORATION ON GEORGES BANK, COMMENDING GOVERNMENT BANK, AND URGING THE GOVERNMENT OF CANADA TO ADOPT A LONGER-TERM MORATORIUM

Ms. COLLINS submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 167

Whereas the unusual underwater topography and tidal activity of Georges Bank create an almost self-contained ecosystem, unique within the ocean that surrounds it;

Whereas Georges Bank is one of the most productive fisheries in the world;

Whereas people of both Canada and the United States harvest cod, haddock, yellowtail flounder, scallops, lobsters, swordfish, and herring from Georges Bank;

Whereas significant economic sacrifices have been made by fishermen from both Canada and the United States to work toward sustainable and healthy fish stocks;

Whereas hundreds of small communities in New England and the maritime provinces of Canada depend on fish from Georges Bank for economic support and their maritime-based way of life;

Whereas an oil spill on Georges Bank would have catastrophic effects on the Georges Bank ecosystem and the economies of the coastal communities of New England and the maritime provinces of Canada;

Whereas Georges Bank experiences some of the most severe weather in the world, and the frequent storms, strong currents, and high winds would cripple any post-spill cleanup effort;

Whereas many scientists, fishermen, and other persons concerned with and knowledgeable about the unique ecosystem of Georges Bank have urged the Government of Canada to extend the moratorium on oil and gas activity;

Whereas the Georges Bank Review Panel issued a report recommending an extension of the moratorium on oil and gas activity; and

Whereas the Government of the United States has established a moratorium on oil and gas activity in Georges Bank until the year 2012: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the Georges Bank Review Panel on the recent report recommending extension of the moratorium on oil and gas exploration on Georges Bank;

(2) commends the Government of Canada for extending the moratorium on oil and gas activity on Georges Bank through 1999; and

(3) urges the Government of Canada to extend the moratorium until the year 2012.

Ms. COLLINS. Mr. President, I rise today to submit a resolution commending the Georges Bank review panel on the recent extension of the moratorium on oil and gas exploration on Georges Bank and urging our Canadian neighbors to adopt a longer-term moratorium that would match that adopted by the United States.

Georges Bank is a large shallow bank on the Outer Continental Shelf of the eastern North American continent. Georges Bank, which separates the Gulf of Maine from the open Atlantic Ocean, is traditionally known as one of the most productive fishing grounds in the world. Fishing vessels from New England and Canada catch cod, haddock, yellowtail flounder, scallops, lobsters, swordfish, herring, and bluefin tuna in its waters. Literally hundreds of communities depend upon fish from Georges Bank for their way of life and livelihood.

In 1984, the United States-Canadian boundary dispute involving ownership of Georges Bank was resolved by the International Court of Justice at The Hague. The Court declared the northeastern portion of the bank as under Canadian jurisdiction and the southwestern portion as under the jurisdiction of the United States. Since that decision, both the United States and Canada have maintained a moratorium on oil and gas exploration on Georges Bank.

In 1998, the United States extended its moratorium until the year 2012.

In 1988, with the adoption of the Canada-Nova Scotia Accord Acts, Canada placed a moratorium on petroleum activities on Georges Bank until January 1, 2000. In preparation for the expiration of that moratorium, a three-person review panel held an extensive public comment period, commissioned studies, and thoroughly explored the pros and cons of allowing oil and gas activity on the Canadian portion of Georges Bank. Last month, at the conclusion of its review, the panel recommended that the moratorium on petroleum activities on Georges Bank be continued, but it did not specify a date.

I certainly respect the fact that Canada is entitled to make its own mineral management decisions. Nevertheless, given the joint jurisdiction that the United States and Canada have over Georges Bank, I believe it is appropriate for this body to convey its concern and support for the unique ecosystem and fisheries of Georges Bank. An accident involving a petroleum spill on either side of the line could have a devastating impact on fisheries well up and down the coast from Nova Scotia and New Brunswick to the coast of New England.

The severe weather in and the vast expanse of Georges Bank far from shore would greatly complicate any effort to clean up any spill that could occur. Indeed, even if a spill never occurred, the lubricants used in drilling could well have a toxic impact on Georges Bank's delicate fisheries.

Fishermen from Canada and the United States are subject to strict regulations governing fishing on Georges Bank. These regulations are designed to allow fish stocks to recover after years of overfishing. They have involved considerable sacrifices for the fishermen who depend on Georges Bank to make a living. But the sacrifices are paying off, and the fish stocks are recovering. It would be a shame to set back or to reverse completely those hard-won recovery efforts with even the risk of a major oil spill.

The resolution I am submitting today encourages the Government of Canada to accept the recommendations of its review panel. It also goes further by asking our neighbor to the north to extend its drilling moratorium until the year 2012 to match the American moratorium. In that way, both Canadians and Americans may be assured that Georges Bank will remain in its traditional uses.

## AMENDMENTS SUBMITTED

### TAXPAYER REFUND ACT OF 1999

### ABRAHAM (AND OTHERS) AMENDMENT NO. 1354

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself, Mr. FITZGERALD, Mr. MOYNIHAN, and Mr. SCHUMER) submitted an amendment intended to be proposed by them to the bill (S. 1429) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2000; as follows:

At the end of title XI, insert the following:

**SEC. ___. NO FEDERAL INCOME TAX ON AMOUNTS RECEIVED BY HOLOCAUST VICTIMS OR THEIR HEIRS.**

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, gross income shall not include any amount received by an individual (or any heir of the individual)—

(1) from the Swiss Humanitarian Fund established by the Government of Switzerland or from any similar fund established by any foreign country, or

(2) as a result of the settlement of the action entitled ''In re Holocaust Victims' Asset Litigation'', (E.D. NY), C.A. No. 96–4849, or as a result of any similar action.

(b) EFFECTIVE DATE.—This section shall apply to any amount received before, on, or after the date of the enactment of this Act.

### ABRAHAM AMENDMENT NO. 1355

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill, S. 1429, supra; as follows:

At the appropriate place, insert the following:

**SEC. ___. TAX EXEMPT TREATMENT OF CERTAIN BONDS ISSUED IN CONNECTION WITH DELINQUENT REAL PROPERTY TAXES.**

(a) IN GENERAL.—Section 148 of the Internal Revenue Code of 1986 is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) SPECIAL RULE FOR DELINQUENT TAX BONDS.—

''(1) IN GENERAL.—For purposes of this section, a bond which meets the requirements of paragraph (2) shall not be treated as an arbitrage bond.

''(2) DELINQUENT TAX BOND REQUIREMENTS.—A bond meets the requirements of this paragraph if—

''(A) the bond is issued primarily to facilitate the collection or receipt of delinquent real property taxes,

''(B) all sale proceeds of the issue of which the bond is a part (other than sale proceeds, if any, to be used for costs of issuance and the establishment of a reasonably required reserve or replacement fund) are transferred, within 30 days after the date of issue of the bond, to governmental units that levy, collect, or receive real property taxes,

''(C)(i) the amount of the sale proceeds so transferred does not exceed the amount of delinquent real property taxes for the year (or the preceding year) certified by such units to the issuer of the bond as uncollected, and

''(ii) such certification is made as of a specific date which occurs during the 5-month period preceding the date of the issuance of the bond,

''(D) the maturity date of the bond is not later than 3 months after the date of the issue,

''(E) the last maturity date of the issue of which the bond is a part (including the last maturity date of any bonds issued to refund that issue or to refund other bonds issued to refund that issue) is not later than 26 months after the date of issuance of the original bond, and

''(F) all delinquent real property taxes (and interest, fees, and penalties attributable to such taxes) received by such governmental units after the specific date referred to in subparagraph (C) and before any maturity date of such issue are used, within 3 months of receipt, for the payment of principal, interest, or redemption price of the issue of which the bond is a part (to the extent that such taxes, interest, fees, and penalties do not exceed such principal, interest, and redemption price, in the aggregate).''

(b) COORDINATION WITH HEDGE BOND RULES.—Section 149(g)(3) of such Code is amended by adding at the end the following new subparagraph:

''(D) EXCEPTION FOR DELINQUENT TAX BOND.—For purposes of this subsection, the term 'hedge bond' shall not include any bond that meets the requirements of section 148(i)(2).''

(c) COORDINATION WITH POOLED FINANCIAL BOND RULES.—Section 149(f)(4)(B) of such Code is amended—

(1) by striking ''or'' at the end of clause (i),

(2) by striking the period at the end of clause (ii) and inserting '', or'', and

(3) by adding at the end the following new clause:

''(iii) section 148(i) applies to such bond.''

(d) COORDINATION WITH PRIVATE ACTIVITY BOND RULES.—Paragraph (2) of section 141(c) of such Code (relating to private activity bond; qualified bond) is amended by striking ''or'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', or'', and by adding at the end the following new subparagraph:

''(C) is with respect to a bond which meets the requirements of section 148(i)(2) (relating to delinquent tax bonds).''

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act. For purposes of the preceding sentence, a bond (or series of bonds) issued to refund a bond shall be treated as being issued on the date of issuance of the refunded bond, if the refunding bond meets the requirements of subclauses (I), (II), and (III) of section 144(a)(12)(A)(ii) of the Internal Revenue Code of 1986.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

### LEVIN (AND DEWINE) AMENDMENT NO. 1356

(Ordered to lie on the table.)

Mr. LEVIN (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by them to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 10, line 23, strike ''River:'' and insert ''River, of which $400,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $114,280,000 shall be available for general administration:''.

### GORTON AMENDMENT NO. 1357

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal

year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $634,321,000, to remain available until expended, of which $2,147,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $1,500,000 shall be available in fiscal year 2000 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands; in addition, $33,529,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $634,321,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, $287,305,000, to remain available until expended, of which not to exceed $5,025,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the ''Fire Protection'' and ''Emergency Department of the Interior Firefighting Fund'' may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., Protection of United States Property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,000,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $12,418,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $130,000,000, of which not to exceed $400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $17,400,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $99,225,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 103–66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is

capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $683,519,000, to remain available until September 30, 2001, except as otherwise provided herein, of which $11,701,000 shall remain available until expended for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976, to compensate for loss of fishery resources from water development projects on the Lower Snake River: *Provided*, That not less than $1,000,000 for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended: *Provided further*, That not to exceed $5,932,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsections (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): *Provided further*, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on his certificate: *Provided further*, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses: *Provided further*, That all fines collected by the U.S. Fish and Wildlife Service for violations of the Marine Mammal Protection Act (16 U.S.C. 1362–1407) and implementing regulations shall be available to the Secretary, without further appropriation, to be used for the expenses of the U.S. Fish and Wildlife Service in administering activities for the protection and recovery of manatees, polar bears, sea otters, and walruses, and shall remain available until expended: *Provided further*, That, heretofore and hereafter, in carrying out work under reimbursable agreements with any state, local, or tribal government, the U.S. Fish and Wildlife Service may, without regard to 31 U.S.C. 1341 and notwithstanding any other provision of law or regulation, record obligations against accounts receivable from such entities, and shall credit amounts received from such entities to this appropriation, such credit to occur within 90 days of the date of the original request by the Service for payment.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $40,434,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, a single procurement for the construction of facilities at the Alaska Maritime National Wildlife Refuge may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clauses ''availability of funds'' found at 48 C.F.R. 52.232.18.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $55,244,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $21,480,000, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,000,000.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261–4266), and the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), $2,400,000, to remain available until expended: *Provided*, That funds made available under this Act, Public Law 105–277, and Public Law 105–83 for rhinoceros, tiger, and Asian elephant conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. aa–1).

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $15,000,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

For necessary expenses of the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 70 passenger motor vehicles, of which 61 are for replacement only (including 36 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105–56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, $1,355,176,000, of which $8,800,000 is for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed $8,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $49,951,000: *Provided*, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $42,412,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which $8,422,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $221,093,000, to remain available until expended, of which $1,100,000 shall be for realignment of the Denali National Park entrance road: *Provided*, That $4,000,000 for the Wheeling National Heritage Area and $1,000,000 for Montpelier shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That notwithstanding any other provision of law, a single procurement for the construction of visitor facilities at Brooks Camp at Katmai National Park

and Preserve may be issued which includes the full scope of the project: *Provided further,* That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232.18.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2000 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, $84,525,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $500,000 is to administer the State assistance program.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 384 passenger motor vehicles, of which 298 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: *Provided,* That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further,* That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $813,243,000, of which $72,314,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $2,000,000 shall remain available until expended for ongoing development of a mineral and geologic data base; and of which $160,248,000 shall be available until September 30, 2001 for the biological research activity and the operation of the Cooperative Research Units: *Provided,* That of the funds available for the biological research activity, $1,000,000 shall be made available by grant to the University of Alaska for conduct of, directly or through subgrants, basic marine research activities in the North Pacific Ocean pursuant to a plan approved by the Department of Commerce, the Department of the Interior, and the State of Alaska: *Provided further,* That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further,* That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided,* That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further,* That the United States Geological Survey may contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; $110,682,000, of which $84,569,000 shall be available for royalty management activities; and an amount not to exceed $124,000,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided,* That $3,000,000 for computer acquisitions shall remain available until September 30, 2001: *Provided further,* That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *Provided further,* That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further,* That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,118,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $95,891,000: *Provided,* That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2000 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further,* That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $185,658,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $7,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided,* That grants to minimum program States will be $1,500,000 per State in fiscal year 2000: *Provided further,* That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be

used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000: *Provided further,* That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further,* That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further,* That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further,* That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further,* That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,631,996,000, to remain available until September 30, 2001 except as otherwise provided herein, of which not to exceed $93,684,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $115,229,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2000, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed $402,010,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2000, and shall remain available until September 30, 2001; and of which not to exceed $51,991,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided,* That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $44,160,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: *Provided further,* That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2001, may be transferred during fiscal year 2002 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further,* That any such unobligated balances not so transferred shall expire on September 30, 2002.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $146,884,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further,* That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further,* That for fiscal year 2000, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further,* That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further,* That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further,* That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further,* That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e): *Provided further,* That notwithstanding any other provision of law, collections from the settlements between the United States and the Puyallup tribe concerning Chief Leschi school are made available for school construction in fiscal year 2000 and hereafter.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $27,131,000, to remain available until expended; of which $25,260,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; and of which $1,871,000 shall be available pursuant to Public Laws 99–264, 100–383, 103–402 and 100–580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $59,682,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $504,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations or pooled overhead general administration (except facilities operations and maintenance) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995.

The Tate Topa Tribal School, the Black Mesa Community School, the Alamo Navajo School, and other BIA-funded schools, subject to the approval of the Secretary of the Interior, may use prior year school operations funds for the replacement or repair of BIA education facilities which are in compliance with 25 U.S.C. 2005(a) and which shall be eligible for operation and maintenance support to the same extent as other BIA education facilities: *Provided,* That any additional construction costs for replacement or repair of such facilities begun with prior year funds shall be completed exclusively with non-Federal funds.

DEPARTMENT OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $67,325,000, of which: (1) $63,076,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $4,249,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided,* That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further,* That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further,* That Public Law 94–241, as amended, is further amended (1) in section 4(b) by deleting ''2002'' and inserting ''1999'' and by deleting the comma after the words ''$11,000,000 annually'' and inserting in lieu thereof the following: ''and for fiscal year 2000, payments to the Commonwealth of the Northern Mariana Islands shall be $5,580,000, but shall return to the level of $11,000,000 annually for fiscal years 2001 and 2002. In fiscal year 2003, the payment to the Commonwealth of the Northern Mariana Islands shall be $5,420,000. Such payments shall be''; and (2) in section (4)(c) by adding a new subsection as follows: ''(4) for fiscal year 2000, $5,420,000 shall be provided to the Virgin Islands for correctional facilities and other projects mandated by Federal law.'': *Provided further,* That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further,* That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further,* That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $20,545,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $62,203,000, of which not to exceed $8,500 may be for official reception and representation expenses and up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $36,784,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $26,614,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $73,836,000, to remain available until expended: *Provided,* That funds for trust management improvements may be transferred to the Bureau of Indian Affairs and Departmental Management: *Provided further,* That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2000, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further,* That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further,* That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least eighteen months and has a balance of $1.00 or less: *Provided further,* That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION PILOT

For implementation of a pilot program for consolidation of fractional interests in Indian lands by direct expenditure or cooperative agreement, $5,000,000 to remain available until expended, of which not to exceed $500,000 shall be available for administrative expenses: *Provided,* That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93–638, as amended, with a tribe having jurisdiction over the pilot reservation to implement the program to acquire fractional interests on behalf of such tribe: *Provided further,* That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: *Provided further,* That acquisitions shall be limited to one or more pilot reservations as determined by the Secretary: *Provided further,* That funds shall be available for acquisition of fractional interests in trust or restricted lands with the consent of its owners and at fair market value, and the Secretary shall hold in trust for such tribe all interests acquired pursuant to this pilot program: *Provided further,* That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interest shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Secretary under this appropriation has been recovered from such proceeds: *Provided further,* That once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and Public Law 101–337; $4,621,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided,* That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further,* That no programs funded with appropriated funds in the ''Departmental Management'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to ''Wildland Fire Management'' shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further,* That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided,* That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay, the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal Government shall be subject to the repayment provisions of 5 U.S.C. 5595(i)(2) and (3), except that any repayment shall be made to the Helium Fund.

(b) Helium Operations employees who elect to continue health benefits after separation shall be liable for not more than the required employee contribution under 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for 18 months the remaining portion of required contributions.

(c) The Secretary of the Interior may provide for training to assist Helium Operations employees in the transition to other Federal or private sector jobs during the facility shut-down and disposition process and for up to 12 months following separation from Federal employment, including retraining and relocation incentives on the same terms and conditions as authorized for employees of the Department of Defense in section 348 of the National Defense Authorization Act for Fiscal Year 1995.

(d) For purposes of the annual leave restoration provisions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be deemed to create an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of 5 U.S.C. 6304 (regardless of whether such leave was scheduled in advance) shall be restored to the employee and shall be credited and available in accordance with 5 U.S.C. 6304(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(c)(4) of the Helium Privatization Act of 1996. Funds may be made available to Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Retraining benefits, including retraining and relocation incentives, may be paid for retraining commencing on or before September 30, 2002.

(f) This section shall remain in effect through fiscal year 2002.

SEC. 113. Notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, funds available herein and hereafter under this title for Indian self-determination or self-governance contract or grant support costs may be expended only for costs directly attributable to contracts, grants and compacts pursuant to the Indian Self-Determination Act and no funds appropriated in this title shall be available for any contract support costs or indirect costs associated with any contract, grant, cooperative agreement, self-governance compact or funding agreement entered into between an Indian tribe or tribal organization and any entity other than an agency of the Department of the Interior.

SEC. 114. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 115. Notwithstanding any other provision of law, in fiscal year 2000 and thereafter, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 612a of title 40, United States Code) not currently occupying such space to use courtyards, auditoriums, meeting rooms, and other space of the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, and to assess reasonable charges therefore, subject to such procedures as the Secretary deems appropriate for such uses. Charges may be for

the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services devoted to a similar purpose in the vicinity of the main and south Interior building complex, Washington, D.C. for which charges are being assessed. The Secretary may without further appropriation hold, administer, and use such proceeds within the Departmental Management Working Capital Fund to offset the operation of the buildings under his jurisdiction, whether delegated or otherwise, and for related purposes, until expended.

SEC. 116. (a) In this section—

(1) the term ''Huron Cemetery'' means the lands that form the cemetery that is popularly known as the Huron Cemetery, located in Kansas City, Kansas, as described in subsection (b)(3); and

(2) the term ''Secretary'' means the Secretary of the Interior.

(b)(1) The Secretary shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery (as described in paragraph (3)) are used only in accordance with this subsection.

(2) The lands of the Huron Cemetery shall be used only—

(A) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and

(B) as a burial ground.

(3) The description of the lands of the Huron Cemetery is as follows:

The tract of land in the NW quarter of sec. 10, T. 11 S., R. 25 E., of the sixth principal meridian, in Wyandotte County, Kansas (as surveyed and marked on the ground on August 15, 1888, by William Millor, Civil Engineer and Surveyor), described as follows:

''Commencing on the Northwest corner of the Northwest Quarter of the Northwest Quarter of said Section 10;

''Thence South 28 poles to the 'true point of beginning';

''Thence South 71 degrees East 10 poles and 18 links;

''Thence South 18 degrees and 30 minutes West 28 poles;

''Thence West 11 and one-half poles;

''Thence North 19 degrees 15 minutes East 31 poles and 15 feet to the 'true point of beginning', containing 2 acres or more.''.

SEC. 117. Grazing permits and leases which expire or are transferred, in this or any fiscal year, shall be renewed under the same terms and conditions as contained in the expiring permit or lease until such time as the Secretary of the Interior completes the process of renewing the permits or leases in compliance with all applicable laws. Nothing in this language shall be deemed to affect the Secretary's statutory authority or the rights of the permittee or lessee.

SEC. 118. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

SEC. 119. Appropriations made in this title under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive federal jurisdiction.

SEC. 121. Notwithstanding any provision of law, the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

SEC. 122. None of the funds provided in this or any other Act may be used for pre-design, design or engineering for the removal of the Elwha or Glines Canyon Dams, or for the actual removal of either dam, until such time as both dams are acquired by the Federal government notwithstanding the proviso in section 3(a) of Public Law 102–495, as amended.

SEC. 123. (a) SHORT TITLE.—This section may be cited as the ''Battle of Midway National Memorial Study Act''.

(b) FINDINGS.—The Congress makes the following findings:

(1) September 2, 1997, marked the 52nd anniversary of the United States victory over Japan in World War II.

(2) The Battle of Midway proved to be the turning point in the war in the Pacific, as United States Navy forces inflicted such severe losses on the Imperial Japanese Navy during the battle that the Imperial Japanese Navy never again took the offensive against the United States or the allied forces.

(3) During the Battle of Midway on June 4, 1942, an outnumbered force of the United States Navy, consisting of 29 ships and other units of the Armed Forces under the command of Admiral Nimitz and Admiral Spruance, out-maneuvered and out-fought 350 ships of the Imperial Japanese Navy.

(4) It is in the public interest to study whether Midway Atoll should be established as a national memorial to the Battle of Midway to express the enduring gratitude of the American people for victory in the battle and to inspire future generations of Americans with the heroism and sacrifice of the members of the Armed Forces who achieved that victory.

(5) The historic structures and facilities on Midway Atoll should be protected and maintained.

(c) PURPOSE.—The purpose of this Act is to require a study of the feasibility and suitability of designating the Midway Atoll as a National Memorial to the Battle of Midway within the boundaries of the Midway Atoll National Wildlife Refuge. The study of the Midway Atoll and its environs shall include, but not be limited to, identification of interpretative opportunities for the educational and inspirational benefit of present and future generations, and of the unique and significant circumstances involving the defense of the island by the United States in World War II and the Battle of Midway.

(d) STUDY OF THE ESTABLISHMENT OF MIDWAY ATOLL AS A NATIONAL MEMORIAL TO THE BATTLE OF MIDWAY.—

(1) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Secretary of the Interior shall, acting through the Director of the National Park Service and in consultation with the Director of the United States Fish and Wildlife Service, the International Midway Memorial Foundation, Inc. (hereafter referred to as the ''Foundation''), and Midway Phoenix Corporation, carry out a study of the suitability and feasibility of establishing Midway Atoll as a national memorial to the Battle of Midway.

(2) CONSIDERATIONS.—In studying the establishment of Midway Atoll as a national memorial to the Battle of Midway under paragraph (1), the Secretary shall address the following:

(A) The appropriate federal agency to manage such a memorial, and whether and under what conditions, to lease or otherwise allow the Foundation or another appropriate entity to administer, maintain, and fully utilize the lands (including any equipment, facilities, infrastructure, and other improvements) and waters of Midway Atoll if designated as a national memorial.

(B) Whether designation as a national memorial would conflict with current management of Midway Atoll as a wildlife refuge and whether, and under what circumstances, the needs and requirements of the wildlife refuge should take precedence over the needs and requirements of a national memorial on Midway Atoll.

(C) Whether, and under what conditions, to permit the use of the facilities on Sand Island for purposes other than a wildlife refuge or a national memorial.

(D) Whether to impose conditions on public access to Midway Atoll as a national memorial.

(3) REPORT.—Upon completion of the study required under paragraph (1), the Secretary shall submit, to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives, a report on the study, which shall include any recommendations for further legislative action. The report shall also include an inventory of all known past and present facilities and structures of historical significance on Midway Atoll and its environs. The report shall include a description of each historic facility and structure and a discussion of how each will contribute to the designation and interpretation of the proposed national memorial.

(e) CONTINUING DISCUSSIONS.—Nothing in this Act shall be construed to delay or prohibit discussions between the Foundation and the United States Fish and Wildlife Service or any other government entity regarding the future role of the Foundation on Midway Atoll.

SEC. 124. Where any Federal lands included within the boundary of Lake Roosevelt National Recreation Area as designated by the Secretary of the Interior on April 5, 1990 (Lake Roosevelt Cooperative Management Agreement) were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

SEC. 125. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds on the basis of identified, unmet needs. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than ten percent in fiscal year 2000.

SEC. 126. None of the Funds provided in this Act shall be available to the Bureau of Indian Affairs or the Department of the Interior to transfer land into trust status for the

Shoalwater Bay Indian Tribe in Clark County, Washington, unless and until the tribe and the county reach a legally enforceable agreement that addresses the financial impact of new development on the county, school district, fire district, and other local governments and the impact on zoning and development.

SEC. 127. None of the funds provided in this Act shall be available to the Department of the Interior or agencies of the Department of the Interior to implement Secretarial Order 3206, issued June 5, 1997.

SEC. 128. Of the funds appropriated in title V of the Fiscal Year 1998 Interior and Related Agencies Appropriation Act, Public Law 105–83, the Secretary shall provide up to $2,000,000 in the form of a grant to the Fairbanks North Star Borough for acquisition of undeveloped parcels along the banks of the Chena River for the purpose of establishing an urban greenbelt within the Borough. The Secretary shall further provide from the funds appropriated in title V up to $1,000,000 in the form of a grant to the Municipality of Anchorage for the acquisition of approximately 34 acres of wetlands adjacent to a municipal park in Anchorage (the Jewel Lake Wetlands).

SEC. 129. Funds sufficient to cover the cost of preparation of an Environmental Impact Statement are hereby redirected from the funds appropriated in the fiscal year 1999 Department of Interior Appropriations Bill, Bureau of Indian Affairs, Safety of Dams Construction Account, Weber Dam. These funds are directed to be used for completion of an environmental impact statement to facilitate resolution of fish passage issues associated with the reconstruction of the Weber Dam and Reservoir on the Walker River Paiute Reservation in Nevada. The analysis shall include, but not be limited to: (1) an evaluation of whether any reservoir, and if so what capacity reservoir, is needed to assure that the water rights of the Walker River Paiute Tribe can be adequately served with surface water; (2) an evaluation of the feasibility and cost of constructing a new off stream reservoir as a replacement for Weber Reservoir; (3) an evaluation of the feasibility and cost of converting Weber Reservoir into an off stream reservoir; and (4) an evaluation of the feasibility and cost of serving the water rights of the Walker River Paiute Tribe with groundwater. The BIA is directed to work through the Bureau of Reclamation, either via contract or memorandum of understanding, to complete this environmental impact statement within 18 months of enactment of this act. No contract for construction or reconstruction of the Weber Dam shall be awarded until such Environmental Impact Statement is completed. In addition, $125,000 of the funds appropriated in fiscal year 1999 to the Bureau of Indian Affairs, Safety of Dams Construction Account, Weber Dam, shall be directed to assist the Walker River Paiute Tribe in exploring the feasibility of establishing a Tribal-operated Lahontan cutthroat trout hatchery on the Walker River, in recognition of the negative impacts on the tribe associated with delay in reconstruction of Weber Dam.

## TITLE II—RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

### FOREST SERVICE

#### FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $187,444,000, to remain available until expended.

#### STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $190,793,000, to remain available until expended, as authorized by law.

#### NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the headings ''Forest and Rangeland Research'', ''State and Private Forestry'', ''National Forest System'', ''Wildland Fire Management'', ''Reconstruction and Construction'', and ''Land Acquisition'', $1,239,051,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)).

#### WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $560,980,000, to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That notwithstanding any other provision of law, up to $4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wildfire suppression activities of the Forest Service, $90,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

#### RECONSTRUCTION AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $362,095,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further*, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: *Provided further*, That any unexpended balances of amounts previously appropriated for Forest Service Reconstruction and Construction as well as any unobligated balances remaining in the National Forest System appropriation in the facility maintenance and trail maintenance extended budget line items at the end of fiscal year 1999 may be transferred to and made a part of this appropriation.

#### LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $37,170,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: *Provided*, That subject to valid existing rights, all Federally owned lands and interests in lands within the New World Mining District comprising approximately 26,223 acres, more or less, which are described in a Federal Register notice dated August 19, 1997 (62 F.R. 44136–44137), are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws, and from location, entry and patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.

#### ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

#### ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

#### RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

#### GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

#### ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 110 passenger motor vehicles of which 15 will be used primarily for law enforcement purposes and of which 109 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed three for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable

fleet at 213 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report 105–163.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Funds available to the Forest Service shall be available to conduct a program of not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

Of the funds available to the Forest Service, $1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even-aged management in hardwood stands in the Shawnee National Forest, Illinois.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,250,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided,* That of the Federal funds made available to the Foundation, no more than $400,000 shall be available for administrative expenses: *Provided further,* That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further,* That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further,* That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: *Provided further,* That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided,* That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: *Provided further,* That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the ''National Forest System'' and ''Reconstruction and Construction'' accounts and planned to be allocated to activities under the ''Jobs in the Woods'' program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs, at the Grey Towers National Historic Landmark: *Provided,* That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: *Provided further,* That such gifts may be accepted notwithstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).

For purposes of the Southeast Alaska Economic Disaster Fund as set forth in section 101(c) of Public Law 104–134, the direct grants provided in subsection (c) shall be considered direct payments for purposes of all applicable law except that these direct grants may not be used for lobbying activities.

No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

The Forest Service shall fund overhead, national commitments, indirect expenses, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of specific work on-the-ground (referred to as ''indirect expenditures''), from funds available to the Forest Service, unless otherwise prohibited by law: *Provided,* That the Forest Service shall implement and adhere to the definitions of indirect expenditures established pursuant to Public Law 105–277 on a nationwide basis without flexibility for modification by any organizational level except the Washington Office, and when changed by the Washington Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: *Provided further,* That the Forest Service shall provide in all future budget justifications, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications: *Provided further,* That during fiscal year 2000 the Secretary shall limit total annual indirect obligations from the Brush Disposal, Cooperative Work-Other, Knutson-Vandenberg, Reforestation, Salvage Sale, and Roads and Trails funds to 20 percent of the total obligations from each fund.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase

negotiations and similar non-litigation related matters: *Provided,* That no more than $500,000 is transferred: *Provided further,* That future budget justifications for both the Forest Service and the Department of Agriculture clearly display the sums previously transferred and request future funding levels.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety.

Of any funds available to Region 10 of the Forest Service, exclusive of funds for timber sales management or road reconstruction/construction, $7,000,000 shall be used in fiscal year 2000 to support implementation of the recent amendments to the Pacific Salmon Treaty with Canada which require fisheries enhancements on the Tongass National Forest.

## DEPARTMENT OF ENERGY

### CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $156,000,000 shall not be available until October 1, 2000: *Provided,* That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

### FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $390,975,000, to remain available until expended, of which $24,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: *Provided,* That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

### ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Moneys received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1999, shall be deposited in this account and immediately transferred to the general fund of the Treasury. Moneys received as revenue sharing from operation of the Great Plains Gasification Plant and settlement payments shall be immediately transferred to the general fund of the Treasury.

### NAVAL PETROLEUM AND OIL SHALE RESERVES

The requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 2000: *Provided,* That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

### ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $682,817,000, to remain available until expended, of which $25,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: *Provided,* That $166,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Provided further,* That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $133,000,000 for weatherization assistance grants and $33,000,000 for State energy conservation grants.

### ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $2,000,000, to remain available until expended.

### STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $159,000,000, to remain available until expended: *Provided,* That the Secretary of Energy hereafter may transfer to the SPR Petroleum Account such funds as may be necessary to carry out drawdown and sale operations of the Strategic Petroleum Reserve initiated under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) from any funds available to the Department of Energy under this Act or previous appropriations Acts. All funds transferred pursuant to this authority must be replenished as promptly as possible from oil sale receipts pursuant to the drawdown and sale.

### ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $70,500,000, to remain available until expended.

### ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: *Provided,* That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further,* That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further,* That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### INDIAN HEALTH SERVICE

### INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,135,561,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided,* That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further,* That $384,442,000 for contract medical care shall remain available for obligation until September 30, 2001: *Provided further,* That of the funds provided, up to $17,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further,* That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further,* That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further,* That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2001: *Provided further,* That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further,* That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $203,781,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or

annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2000.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $189,252,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided,* That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further,* That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: *Provided further,* That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further,* That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further,* That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended: *Provided further,* That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,000,000, to remain available until expended: *Provided,* That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further,* That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further,* That no relocatee will be provided with more than one new or replacement home: *Provided further,* That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $4,250,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $364,562,000, of which not to exceed $40,704,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: *Provided,* That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $4,400,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $35,000,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, $19,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

The Smithsonian Institution shall not use Federal funds in excess of the amount specified in Public Law 101–185 for the construction of the National Museum of the American Indian.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members

only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $61,438,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $6,311,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $14,000,000.

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $20,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $6,040,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $86,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $13,000,000, to remain available until expended, to the National Endowment for the Arts: *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $97,550,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $14,150,000, to remain available until expended, of which $10,150,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $23,905,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided,* That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further,* That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,078,000: *Provided,* That beginning in fiscal year 2000 and thereafter, the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $2,906,000: *Provided,* That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $6,312,000: *Provided,* That all appointed members will be compensated at a rate not to exceed the rate for level IV of the Executive Schedule.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended, $33,286,000, of which $1,575,000 for the museum's repair and rehabilitation program and $1,264,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $24,400,000 shall be available to the Presidio Trust, to remain available until expended, of which up to $1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $200,000,000. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $20,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided,* That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the

funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

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

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

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1999.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 311. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 312. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2000, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 313. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, and 105–277 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 1999 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 314. Notwithstanding any other provision of law, for fiscal year 2000 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's Forest Plan for the Pacific Northwest or the Jobs in the Woods Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been affected by reduced timber harvesting on Federal lands.

SEC. 315. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 316. (a) None of the funds made available in this Act or any other Act providing appropriations for the Department of the Interior, the Forest Service or the Smithsonian Institution may be used to submit nominations for the designation of Biosphere Reserves pursuant to the Man and Biosphere program administered by the United Nations Educational, Scientific, and Cultural Organization.

(b) The provisions of this section shall be repealed upon enactment of subsequent legislation specifically authorizing United States participation in the Man and Biosphere program.

SEC. 317. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 318. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 320. No part of any appropriation contained in this Act shall be expended or obligated to fund new revisions of national forest land management plans until new final or interim final rules for forest land management planning are published in the Federal Register. Those national forests which are currently in a revision process, having formally published a Notice of Intent to revise prior to October 1, 1997; those national forests having been court-ordered to revise; those national forests where plans reach the fifteen year legally mandated date to revise before or during calendar year 2000; national forests within the Interior Columbia Basin Ecosystem study area; and the White Mountain National Forest are exempt from this section and may use funds in this Act and proceed to complete the forest plan revision in accordance with current forest planning regulations.

SEC. 321. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 322. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 323. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 324. Notwithstanding any other provision of law, none of the funds provided in this Act to the Indian Health Service or Bureau of Indian Affairs may be used to enter into any new or expanded self-determination contract or grant or self-governance compact pursuant to the Indian Self-Determination Act of 1975, as amended, for any activities not previously covered by such contracts, compacts or grants. Nothing in this section precludes the continuation of those specific activities for which self-determination and self-governance contracts, compacts and grants currently exist or the renewal of contracts, compacts and grants for those activities; implementation of section 325 of Public Law 105–83 (111 Stat. 1597); or compliance with 25 U.S.C. 2005.

SEC. 325. Amounts deposited during fiscal year 1999 in the roads and trails fund provided for in the fourteenth paragraph under the heading ''FOREST SERVICE'' of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The Secretary shall commence the projects during fiscal year 2000, but the projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 326. HARDWOOD TECHNOLOGY TRANSFER AND APPLIED RESEARCH. (a) The Secretary of Agriculture (hereinafter the ''Secretary'') is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et. seq.), and the Forest and Rangeland Renewable Resources Act of 1978, as amended (16 U.S.C. 1600–1614).

(b) In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary may accept gifts and donations pursuant to the Act of October 10, 1978 (7 U.S.C. 2269) including gifts and donations from a donor that conducts business with any agency of the Department of Agriculture or is regulated by the Secretary of Agriculture.

(c) The Secretary is hereby and hereafter authorized to operate and utilize the assets of the Wood Education and Resource Center (previously named the Robert C. Byrd Hardwood Technology Center in West Virginia) as part of a newly formed ''Institute of Hardwood Technology Transfer and Applied Research'' (hereinafter the ''Institute''). The Institute, in addition to the Wood Education and Resource Center, will consist of a Director, technology transfer specialists from State and Private Forestry, the Forestry Sciences Laboratory in Princeton, West Virginia, and any other organizational unit of the Department of Agriculture as the Secretary deems appropriate. The overall management of the Institute will be the responsibility of the USDA Forest Service, State and Private Forestry.

(d) The Secretary is hereby and hereafter authorized to generate revenue using the authorities provided herein. Any revenue received as part of the operation of the Institute shall be deposited into a special fund in the Treasury of the United States, known as the ''Hardwood Technology Transfer and Applied Research Fund'', which shall be available to the Secretary until expended, without further appropriation, in furtherance of the purposes of this section, including upkeep, management, and operation of the Institute and the payment of salaries and expenses.

(e) There are hereby and hereafter authorized to be appropriated such sums as necessary to carry out the provisions of this section.

SEC. 327. No timber in Region 10 of the Forest Service shall be advertised for sale which, when using domestic Alaska western red cedar selling values and manufacturing costs, fails to provide at least 60 percent of normal profit and risk of the appraised timber, except at the written request by a prospective bidder. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2000, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan which provides greater than 60 percent of normal profit and risk at the time of the sale advertisement, all of the western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States based on values in the Pacific Northwest as determined by the Forest Service and stated in the timber sale contract. Should Region 10 sell, in fiscal year 2000, less than the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan meeting the 60 percent of normal profit and risk standard at the time of sale advertisement, the volume of western red cedar timber available to domestic processors at rates specified in the timber sale contract in the contiguous 48 states shall be that volume: (i) which is surplus to the needs of domestic processors in Alaska; and (ii) is that percent of the surplus western red cedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold. (For purposes of this amendment, a ''rolling basis'' shall mean that the determination of how much western red cedar is eligible for sale to various markets shall be made at the time each sale is awarded.) Western red cedar shall be deemed ''surplus to the needs of domestic processors in Alaska'' when the timber sale holder has presented to the Forest Service documentation of the inability to sell western red cedar logs from a given sale to domestic Alaska processors at a price equal to or greater than the log selling value stated in the contract. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 329. For fiscal year 2000, the Secretary of Agriculture, with respect to lands within the National Forest System, and the Secretary of the Interior, with respect to lands under the jurisdiction of the Bureau of Land Management, shall use the best available scientific and commercial data in amending or revising resource management plans for, and offering sales, issuing leases, or otherwise authorizing or undertaking management activities on, lands under their respective jurisdictions: *Provided*, That the Secretaries may at their discretion determine whether any additional information concerning wildlife resources shall be collected prior to approving any such plan, sale, lease or other activity, and, if so, the type of, and collection procedures for, such information.

SEC. 330. The Secretary of Agriculture and the Secretary of the Interior shall:

(a) prepare the report required of them by section 323(a) of the Fiscal Year 1998 Interior and Related Agencies Appropriations Act (Public Law 105–83; 111 Stat. 1543, 1596–7);

(b) make the report available for public comment for a period of not less than 120 days; and

(c) include the information contained in the report and a detailed response or responses to any such public comment in any final environmental impact statement associated with the Interior Columbia Basin Ecosystem Project.

SEC. 331. Section 7 of the Service Contract Act (SCA), 41 U.S.C. section 356 is amended by adding the following paragraph:

''(8) any concession contract with Federal land management agencies, the principal

purpose of which is the provision of recreational services to the general public, including lodging, campgrounds, food, stores, guiding, recreational equipment, fuel, transportation, and skiing, provided that this exemption shall not affect the applicability of the Davis-Bacon Act, 40 U.S.C. section 276a et seq., to construction contracts associated with these concession contracts.''.

SEC. 332. TIMBER AND SPECIAL FOREST PRODUCTS. (a) DEFINITION OF SPECIAL FOREST PRODUCT.—For purposes of this section, the term ''special forest product'' means any vegetation or other life forms, such as mushrooms and fungi that grows on National Forest System lands, excluding trees, animals, insects, or fish except as provided in regulations issued under this section by the Secretary of Agriculture.

(b) FAIR MARKET VALUE FOR SPECIAL FOREST PRODUCTS.—The Secretary of Agriculture shall develop and implement a pilot program to charge and collect not less than the fair market value for special forest products harvested on National Forest System lands. The authority for this pilot program shall be for fiscal years 2000 through 2004. The Secretary of Agriculture shall establish appraisal methods and bidding procedures to ensure that the amounts collected for special forest products are not less than fair market value.

(c) FEES.—

(1) IN GENERAL.—The Secretary of Agriculture shall charge and collect from persons who harvest special forest products all costs to the Department of Agriculture associated with the granting, modifying, or monitoring the authorization for harvest of the special forest products, including the costs of any environmental or other analysis.

(2) SECURITY.—The Secretary of Agriculture may require a person that is assessed a fee under this subsection to provide security to ensure that the Secretary of Agriculture receives fees authorized under this subsection from such person.

(d) WAIVER.—The Secretary of Agriculture may waive the application of subsection (b) or subsection (c) pursuant to such regulations as the Secretary of Agriculture may prescribe.

(e) COLLECTION AND USE OF FUNDS.—

(1) Funds collected in accordance with subsection (b) and subsection (c) shall be deposited into a special account in the Treasury of the United States.

(2) Funds deposited into the special account in the Treasury in accordance with this section in excess of the amounts collected for special forest products during fiscal year 1999 shall be available for expenditure by the Secretary of Agriculture on October 1, 2000 without further appropriation, and shall remain available until expended to pay for—

(A) in the case of funds collected pursuant to subsection (b), the costs of conducting inventories of special forest products, monitoring and assessing the impacts of harvest levels and methods, and for restoration activities, including any necessary vegetation; and

(B) in the case of fees collected pursuant to subsection (c), the costs for which the fees were collected.

(3) Amounts collected in accordance with subsection (b) and subsection (c) shall not be taken into account for the purposes of the sixth paragraph under the heading of ''Forest Service'' of the Act of May 23, 1908 (16 U.S.C. § 500); section 13 of the Act of March 1, 1911 (16 U.S.C. § 500); the Act of March 4, 1913 (16 U.S.C. § 501); the Act of July 22, 1937 (7 U.S.C. § 1012); the Acts of August 8, 1937 and of May 24, 1939 (43 U.S.C. §§ 1181 et. seq.); the Act of June 14, 1926 (43 U.S.C. § 869–4); chapter 69 of title 31 United States Code; section 401 of the Act of June 15, 1935 (16 U.S.C. § 715s); the Land and Water Conservation Fund Act of 1965 (16 U.S.C. § 460*l*–6a); and any other provision of law relating to revenue allocation.

SEC. 333. Title III, section 3001 of Public Law 106–31 is amended by inserting after the word ''Alabama,'' the following phrase ''in fiscal year 1999 or 2000''.

SEC. 334. The authority to enter into stewardship and end result contracts provided to the Forest Service in accordance with Section 347 of Title III of Section 101(e) of Division A of Public Law 105–825 is hereby expanded to authorize the Forest Service to enter into an additional 9 contracts in Region One.

SEC. 335. LOCAL EXEMPTIONS FROM FOREST SERVICE DEMONSTRATION PROGRAM FEES. Section 6906 of Title 31, United States Code, is amended—

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

(2) by adding at the end the following:

''(b) LOCAL EXEMPTIONS FROM DEMONSTRATION PROGRAM FEES.—

''(1) IN GENERAL.—Each unit of general local government that lies in whole or in part within the White Mountain National Forest and persons residing within the boundaries of that unit of general local government shall be exempt during that fiscal year from any requirement to pay a Demonstration Program Fee (parking permit or passport) imposed by the Secretary of Agriculture for access to the Forest.

''(2) ADMINISTRATION.—The Secretary of Agriculture shall establish a method of identifying persons who are exempt from paying user fees under paragraph (1). This method may include valid form of identification including a drivers license.''.

SEC. 336. MILLSITES OPINION. PROHIBITION ON MILLSITE LIMITATIONS.—Notwithstanding the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as the ''opinion''), in accordance with the millsite provisions of the Bureau of Land Management's Manual Sec. 3864.1.B (dated 1991), the Bureau of Land Management Handbook for Mineral Examiners H–3890–1, page III–8 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1990), the Department of the Interior and the Department of Agriculture shall not limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims for any fiscal year.

SEC. 337. Notwithstanding section 343 of Public Law 105–83, increases in recreation residence fees may be implemented in fiscal year 2000: *Provided,* That such an increase would not result in a fee that exceeds 125 percent of the fiscal year 1998 fee.

SEC. 338. No federal monies appropriated for the purchase of land by the Forest Service in the Columbia River Gorge National Scenic Area (''CRGNSA'') may be used unless the Forest Service complies with the acquisition protocol set out in this section:

(a) PURCHASE OPTION REQUIREMENT.—Upon the Forest Service making a determination that the agency intends to pursue purchase of land or an interest in land located within the boundaries of the CRGNSA, the Forest Service and the owner of the land or interest in land to be purchased shall enter into a written purchase option agreement in which the landowner agrees to retain ownership of the interest in land to be acquired for a period not to exceed one year. In return, the Forest Service shall agree to abide by the bargaining and arbitration process set out in this section.

(b) OPT OUT.—After the Forest Service and landowner have entered into the purchase option agreement, the landowner may at any time prior to federal acquisition voluntarily opt out of the purchase option agreement.

(c) SELECTION OF APPRAISERS.—Once the landowner and Forest Service both have executed the required purchase option, the landowner and Forest Service each shall select an appraiser to appraise the land or interest in land described in the purchase option. The landowner and Forest Service both shall instruct their appraiser to estimate the fair market value of the land or interest in land to be acquired. The landowner and Forest Service both shall instruct their appraiser to comply with the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference 1992) and Public Law 91–646 as amended. Both appraisers shall possess qualifications consistent with state regulatory requirements that meet the intent of Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(d) PERIOD TO COMPLETE APPRAISALS.—The landowner and Forest Service each shall be allowed a period of 180 days to provide to the other an appraisal of the land or interest in land described in the purchase option. This 180-day period shall commence upon execution of a purchase option by the landowner and the Forest Service.

(e) BARGAINING PERIOD.—Once the landowner and Forest Service each have provided to the other a completed appraisal, a 45-day period of good faith bargaining and negotiation shall commence. If the landowner and Forest Service cannot agree within this period on the proper purchase price to be paid by the United States for the land or interest in land described in the purchase option, the landowner may request arbitration under subsection (f) of this section.

(f) ARBITRATION PROCESS.—If a landowner and the Forest Service are unable to reach a negotiated settlement on value within the 45-day period of good faith bargaining and negotiation, during the 10 days following this period of good faith bargaining and negotiation the landowner may request arbitration. The process for arbitration shall commence with each party submitting its appraisal and a copy of this legislation, and only its appraisal and a copy of this legislation, to the arbitration panel within 10 days following the receipt by the Forest Service of the request for arbitration. The arbitration panel shall render a written advisory decision on value within 45 days of receipt of both appraisals. This advisory decision shall be forwarded to the Secretary of Agriculture by the arbitration panel with a recommendation to the Secretary that if the land or interest in land at issue is to be purchased that the United States pay a sum certain for the land or interest in land. This sum certain shall fall within the value range established by the two appraisals. Costs of employing the arbitration panel shall be divided equally between the Forest Service and the landowner, unless the arbitration panel recommends either the landowner or the Forest Service bear the entire cost of employing the arbitration panel. The arbitration panel shall not make such a recommendation unless the panel finds that one of the appraisals submitted fails to conform to the Uniform Appraisal Standard for Federal Land Acquisition (Interagency Land Acquisition Conference 1992). In no event, shall the cost of employing the arbitration panel exceed $10,000.

(g) ARBITRATION PANEL.—The arbitration panel shall consist of one appraiser and two lawyers who have substantial experience working with the purchase of land and interests in land by the United States. The Secretary is directed to ask the Federal Center

for Dispute Resolution at the American Arbitration Association to develop lists of no less than ten appraisers and twenty lawyers who possess substantial experience working with federal land purchases to serve as third-party neutrals in the event arbitration is requested by a landowner. Selection of the arbitration panel shall be made by mutual agreement of the Forest Service and landowner. If mutual agreement cannot be reached on one or more panel members, selection of the remaining panel members shall be by blind draw once each party has been allowed the opportunity to strike up to 25 percent of the third-party neutrals named on either list. Of the funds available to the Forest Service, up to $15,000 shall be available to the Federal Center for Dispute Resolution to cover the initial cost of establishing this program. Once established, costs of administering the program shall be borne by the Forest Service, but shall not exceed $5,000 a year.

(h) QUALIFICATIONS OF THIRD-PARTY NEUTRALS.—Each appraiser selected by the Federal Dispute Resolution Center, in addition to possessing substantial experience working with federal land purchases, shall possess qualifications consistent with state regulatory requirements that meet the intent of Title XI, Financial Institutions Reform, Recovery & Enforcement Act of 1989. Each lawyer selected by the Federal Dispute Resolution Center, in addition to possessing substantial experience working with federal land purchases, shall be an active member in good standing of the bar of one of the 50 states or the District of Columbia.

(i) DECISION REQUIRED BY THE SECRETARY OF AGRICULTURE.—Upon receipt of a recommendation by an arbitration panel appointed under subsection (g), the Secretary of Agriculture shall notify the landowner and the CRGNSA of the day the recommendation was received. The Secretary shall make a determination to adopt or reject the arbitration panel's advisory decision and notify the landowner and the CRGNSA of this determination within 45 days of receipt of the advisory decision.

(j) ADMISSABILITY.—Neither the fact that arbitration pursuant to this act has occurred nor the recommendation of the arbitration panel shall be admissible in any court or administrative proceeding.

(k) EXPIRATION DATE.—This act shall expire on October 1, 2002.

SEC. 339. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by Section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities,

(B) the private sector provider terminates its relationship with the agency, or,

(C) the agency revokes the permit for noncompliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 2000''.

## REED (AND KENNEDY) AMENDMENT NO. 1358

(Ordered to lie on the table.)

Mr. REED (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the bill, H.R. 2466, supra; as follows:

On page 94, line 7, strike ''$86,000,000'' and insert ''$91,000,000''.

On page 132, between lines 20 and 21, insert the following:

SEC. 3 . (a) The total discretionary amount made available by this Act is reduced by $5,000,000: *Provided*, That the reduction pursuant to this subsection shall be made by reducing by a uniform percentage the amount made available for travel, supplies, and printing expenses to the agencies funded by this Act.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing, by account, of the amounts of the reductions made pursuant to subsection (a).

## GORTON AMENDMENT NO. 1359

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 79, line 19 of the bill, strike ''under this Act or previous appropriations Acts.'' and insert in lieu thereof the following: ''under this or any other Act.''

## MURRAY (AND OTHERS) AMENDMENT NO. 1360

Mrs. MURRAY (for herself, Mr. DURBIN, and Mr. KERRY) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 122, strike lines 1 through 15.

## REID (AND OTHERS) AMENDMENT NO. 1361

Mr. REID (for himself, Mr. CRAIG, and Mr. BRYAN) proposed an amendment to amendment No. 1360 proposed by Mrs. MURRAY to the bill, H.R. 2466, supra; as follows:

In lieu of the language proposed to be stricken, insert:

**SEC. . MILLSITES OPINION.**

(a) PROHIBITION ON MILLSITE LIMITATIONS.—Notwithstanding the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as the ''opinion''), in accordance with the millsite provisions of the Bureau of Land Management's Manual Sec. 3864.1.B (dated 1991), the Bureau of Land Management Handbook for Mineral Examiners H–3890–1, page III–8 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1990), the Department of the Interior and the Department of Agriculture shall not, for any fiscal year, limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to any patent application grandfathered pursuant to Section 312 of this Interior Appropriations Act of __; any operation or property for which a plan of operations has been previously approved; any operation or property for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to October 1, 2000; or any subsequent amendment or modification to such approved or submitted plans.

(b) NO RATIFICATION.—Nothing in this Act shall be construed as an explicit or tacit adoption, ratification, endorsement or approval of the opinion.

## LIEBERMAN AMENDMENTS NOS. 1362–1364

(Ordered to lie on the table.)

Mr. LIEBERMAN submitted three amendments intended to be proposed by him to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1362

On page 18, line 16, strike ''$84,525,000'' and insert ''$86,025,000''.

On page 18, line 19, before the period, insert the following: '', and of which not less than $2,500,000 shall be used to acquire the Weir Farm National Historic Site in Connecticut''.

On page 77, line 16, strike ''$390,975,000'' and insert ''$389,475,000''.

On page 77, line 19, before the colon, insert the following: '', and of which not more than $30,796,000 shall be used for exploration and production supporting research''.

AMENDMENT NO. 1363

On page 17, line 10, strike ''$42,412,000'' and insert ''$43,912,000''.

On page 17, line 14, before the period, insert the following: '', and of which not less than $1,500,000 shall be used for the preservation of the Mark Twain House in Connecticut''.

On page 63, line 1, strike ''$1,239,051,000'' and insert ''$1,237,551,000''.

On page 63, line 6, before the period, insert the following: '': *Provided*, That, of the amounts made available under this heading, not more than $227,400,000 may be used for timber sales management''.

AMENDMENT NO. 1364

On page 18, line 16, strike ''$84,525,000'' and insert ''$86,525,000''.

On page 18, line 19, before the period, insert the following: '', and of which not less than $2,000,000 shall be used to purchase 668 acres of land in Connecticut, known as ''Trout Brook Valley'', from the Aspetuck Land Trust''.

On page 63, line 1, strike ''$1,239,051,000'' and insert ''$1,237,051,000''.

On page 63, line 6, before the period, insert the following: '': *Provided*, That, of the amounts made available under this heading, not more than $226,900,000 may be used for timber sales management''.

# TAXPAYER REFUND ACT OF 1999

## ABRAHAM (AND WYDEN) AMENDMENT NO. 1365

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by them to the bill, S. 1429, supra; as follows:

On page 371, between lines 16 and 17, insert:

**SEC. ___. EXPANSION OF DEDUCTION FOR COMPUTER DONATIONS TO SCHOOLS.**

(a) EXTENSION OF AGE OF ELIGIBLE COMPUTERS.—Section 170(e)(6)(B)(ii) (defining

qualified elementary or secondary educational contribution) is amended—

(1) by striking ''2 years'' and inserting ''3 years'', and

(2) by inserting ''for the taxpayer's own use'' after ''constructed by the taxpayer''.

(b) REACQUIRED COMPUTERS ELIGIBLE FOR DONATION.—

(1) IN GENERAL.—Section 170(e)(6)(B)(iii) (defining qualified elementary or secondary educational contribution) is amended by inserting '', the person from whom the donor reacquires the property,'' after ''the donor''.

(2) CONFORMING AMENDMENT.—Section 170(e)(6)(B)(ii) is amended by inserting ''or reaquired'' after ''acquired''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years ending after the date of the enactment of this Act.

**SEC. ___2. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS.**

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits), as amended by this Act, is amended by adding at the end the following:

**''SEC. 45E. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS.**

''(a) GENERAL RULE.—For purposes of section 38, the school computer donation credit determined under this section is an amount equal to 30 percent of the qualified elementary or secondary educational contributions made by the taxpayer during the taxable year.

''(b) QUALIFIED ELEMENTARY OR SECONDARY EDUCATIONAL CONTRIBUTION.—For purposes of this section, the term 'qualified elementary or secondary educational contribution' has the meaning given such term by section 170(e)(6)(B), except that such term shall include the contribution of a computer (as defined in section 168(i)(2)(B)(ii)) only if computer software (as defined in section 197(e)(3)(B)) that serves as a computer operating system has been lawfully installed in such computer.

''(c) INCREASED PERCENTAGE FOR CONTRIBUTIONS TO SCHOOLS IN EMPOWERMENT ZONES, ENTERPRISE COMMUNITIES, AND INDIAN RESERVATIONS.—In the case of a qualified elementary or secondary educational contribution to an educational organization or entity located in an empowerment zone or enterprise community designated under section 1391 or an Indian reservation (as defined in section 168(j)(6)), subsection (a) shall be applied by substituting '50 percent' for '30 percent'.

''(d) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of paragraphs (1) and (2) of section 41(f) shall apply.

''(e) TERMINATION.—This section shall not apply to taxable years beginning on or after the date which is 3 years after the date of the enactment of the New Millennium Classrooms Act.''

(b) CURRENT YEAR BUSINESS CREDIT CALCULATION.—Section 38(b) (relating to current year business credit), as amended by this Act, is amended by striking ''plus'' at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting '', plus'', and by adding at the end the following:

''(14) the school computer donation credit determined under section 45E(a).''

(c) DISALLOWANCE OF DEDUCTION BY AMOUNT OF CREDIT.—Section 280C (relating to certain expenses for which credits are allowable) is amended by adding at the end the following:

''(d) CREDIT FOR SCHOOL COMPUTER DONATIONS.—No deduction shall be allowed for that portion of the qualified elementary or secondary educational contributions (as defined in section 45E(b)) made during the taxable year that is equal to the amount of credit determined for the taxable year under section 45E(a). In the case of a corporation which is a member of a controlled group of corporations (within the meaning of section 52(a)) or a trade or business which is treated as being under common control with other trades or businesses (within the meaning of section 52(b)), this subsection shall be applied under rules prescribed by the Secretary similar to the rules applicable under subsections (a) and (b) of section 52.''

(d) LIMITATION ON CARRYBACK.—Subsection (d) of section 39 (relating to carryback and carryforward of unused credits) is amended by adding at the end the following:

''(9) NO CARRYBACK OF SCHOOL COMPUTER DONATION CREDIT BEFORE EFFECTIVE DATE.—No amount of unused business credit available under section 45E may be carried back to a taxable year beginning on or before the date of the enactment of this paragraph.''

(e) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by inserting after the item relating to section 45D the following:

''Sec. 45E. Credit for computer donations to schools.''

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after the date of the enactment of this Act.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

### GRAHAM (AND OTHERS) AMENDMENT NO. 1366

(Ordered to lie on the table.)

Mr. GRAHAM (for himself, Mr. ENZI, Mr. BRYAN, Mr. REID, Mr. VOINOVICH, Mr. GRAMS, and Mr. LUGAR) submitted an amendment intended to be proposed by them to the bill, H.R. 2466, supra; as follows:

At the appropriate place, insert the following:

**SEC. . PROHIBITION ON CLASS III GAMING PROCEDURES**

No funds made available under this Act may be expended to implement the final rule published on April 12, 1999, at 64 Fed. Reg. 17535.

### ABRAHAM AMENDMENT NO. 1367

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill, H.R. 2466, supra; as follows:

On page 17, line 25, after the colon insert the following: *''Provided further,* That $1,030,000 shall be made available for Isle Royale National Park to address visitor facility and infrastructure deterioration:''.

## MUHAMMAD ALI BOXING REFORM ACT

### McCAIN AMENDMENT NO. 1368

Mr. SESSIONS (for Mr. MCCAIN) proposed an amendment to the bill (S. 305) to reform unfair and anticompetitive practices in the professional boxing industry; as follows:

On page 5, line 2, before ''The'' insert ''(a) IN GENERAL.—''.

On page 9, between lines 17 and 18, insert the following:

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to contracts executed after the date of enactment of this Act.

On page 9, line 25, strike ''by''.

On page 10, beginning in line 3, strike ''that sanctions professional boxing matches on an interstate basis''.

On page 11, line 2, strike ''within 14 days''.

On page 11, line 4, insert ''within 5 business days'' before ''mail''.

On page 11, line 8, strike ''post a copy, within the 14-day period,'' and insert ''immediately post a copy''.

On page 11, line 14, strike ''Commissions.'' and insert ''Commissions if the organization does not have an address for the boxer or does not have an Internet website or homepage.

On page 12, line 20, strike ''ALTERNATIVE.—In lieu of'' and insert ''POSTING.—In addition to''.

On page 12, line 23, strike ''may'' and insert ''shall''.

On page 15, line 1, strike 'by''.

On page 18, line 11, after ''9(b),'' insert ''9(c),''.

On page 18, line 15, strike ''the violations occur'' and insert ''a violation occurs''.

On page 18, beginning in line 17, strike ''such additional amount as the court finds appropriate,'' and insert ''an additional amount which bears the same ratio to $100,000 as the amount of the gross revenues in excess of $2,000,000 bears to $2,000,000,''.

On page 18, line 19, strike ''and''.

On page 18, between lines 19 and 20, insert the following:

(3) striking in ''section 9'' in paragraph (3), as redesignated, and inserting ''section 9(a)''; and

On page 18, line 20, strike ''(3)'' and insert ''(4)''.

On page 19, line 4, strike ''which the practice involves;'' and insert ''that involves such practices;''.

On page 19, line 15, strike the closing quotation marks and the second period.

On page 19, between lines 15 and 16, insert the following:

''(e) ENFORCEMENT AGAINST FEDERAL TRADE COMMISSION, STATE ATTORNEYS GENERAL, ETC.—Nothing in this Act authorizes the enforcement of—

''(1) any provision of this Act against the Federal Trade Commission, the United States Attorney General, the chief legal officer of any State for acting or failing to act in an official capacity;

''(2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or

''(3) section 15 against a boxer acting in his capacity as a boxer.''.

On page 20, line 5, strike ''amended—'' and insert ''amended by—''.

On page 20, line 6, strike ''by''.

On page 20, line 7, strike ''by''.

### REID AMENDMENT NO. 1369

Mr. SESSIONS (for Mr. REID) proposed an amendment to the bill, S. 305, supra; as follows:

On page 18, line 11, strike ''or 17'' and insert 17, or 18''.

On page 20, after line 13, insert the following:

**SEC. 9. REQUIREMENTS FOR CONTRACTS BETWEEN BOXERS AND BROADCASTING COMPANIES.**

(a) IN GENERAL.—The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.), as amended by section 6, is amended—

(1) by redesignating section 18, as redesignated by section 6 of this Act, as section 19; and

(2) by inserting after section 17 the following:

**"SEC. 18. CONTRACTS BETWEEN BOXERS AND BROADCASTING COMPANIES.**

''(a) CONTRACT REQUIREMENTS.—Any contract between a boxer and a broadcast for the broadcaster of a boxing match in which that boxer is competing shall—

''(1) include mutual obligations between the parties; and

''(2) specify either—

''(A) the number of bouts to be broadcast; or

''(B) the duration of the contract.

''(b) PROHIBITIONS.—A broadcaster may not—

''(1) require a boxer to employ a relative or associate of the broadcaster in any capacity as a condition of entering into a contract with the broadcaster;

''(2) have a direct or indirect financial interest in the boxer's manager or management company; or

''(3) make a payment, or provide other consideration, (other than of a de minimus amount or value) to a sanctioning organization or any officer or employee of such an organization in connection with any boxer with whom the broadcaster has a contract, or against whom a boxer with whom is broadcaster has a contract is competing.

''(c) NOTIFICATION OF REDUCTION IN AGREED AMOUNT.—If a broadcaster has a contract with a boxer to broadcast a match in which that boxer is competing, and the broadcaster reduces the amount it agreed to pay the boxer under that contract (whether unilaterally or by mutual agreement), the broadcaster shall notify, in writing within 48 hours after the reduction, the supervising State commission for that match of the reduction.

''(d) ENFORCEMENT.—

''(1) CONTRACT.—A provision in a contract between a broadcaster and a boxer that violates subsection (a) is contrary to public policy and unenforceable at law.

''(2) PROHIBITIONS; NOTIFICATION.—For enforcement of subsections (b) and (c), see section 10.''.

(b) BROADCASTER DEFINED.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301), as amended by section 8 of this Act, is amended by adding at the end thereof the following:

''(13) BROADCASTER.—The term 'broadcaster' means any person who is a licensee as that term is defined in section 3(24) of the Communications Act of 1934 (47 U.S.C. 153(24)).''.

## MOYNIHAN AMENDMENT NO. 1370

Mr. SESSIONS (for Mr. MOYNIHAN) proposed an amendment to the bill, S. 305, supra; as follows:

On page 20, after line 13, add the following:

(d) STANDARDIZED PHYSICAL EXAMINATIONS.—Section 5(1) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6304(1)) is amended by inserting after ''examination'' the following: '', based on guidelines endorsed by the American Medical Association, including a circulo-respiratory check and a neurological examination.''.

(e) CAT SCANS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305(b)(2)) is amended by inserting before the period the following: ''and, with respect to such renewal, present proof from a physician that such boxer has taken a computerized axial tomography (CAT) scan within the 30-day period preceding that date on which the renewal application is submitted and that no brain damage from boxing has been detected''.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

## DURBIN AMENDMENT NO. 1371

(Ordered to lie on the table.)

Mr. DURBIN submitted an amendment intended to be proposed by him to the bill, H.R. 2466, supra; as follows:

At the end of the bill add the following:

**SEC. 3 . SHAWNEE NATIONAL FOREST, ILLINOIS.**

None of the funds made available under this Act may be used to—

(1) develop a resource management plan for the Shawnee National Forest, Illinois; or

(2) make a sale of timber for commodity purposes produced on land in the Shawnee National Forest from which the expected cost of making the timber available for sale is greater than the expected revenue to the United States from the sale.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be allowed to meet during the session of the Senate on Tuesday, July 27, 1999. The purpose of this meeting will be to discuss consolidation and anti-trust issues in agricultural business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ENZI. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to meet to mark up S. 1090, the Superfund Program Completion Act of 1999, Tuesday, July 27, 9:30 a.m., Hearing Room (SD–406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. ENZI. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Tuesday, July 27, 1999 beginning at 2:30 p.m. in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Health, Labor, and Pensions be authorized to meet for a hearing on ''Innovations in Child Care'' during the session of the Senate on Tuesday, July 27, 1999, at 10:00 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Oversight of the Criminal Division of the Department of Justice, during the session of the Senate on Tuesday, July 27, 1999, at 2:00 p.m., in SD 628.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. ENZI. Mr. President, I ask unanimous consent that the Subcommittee on African Affairs be authorized to meet during the session of the Senate on Tuesday, July 27, 1999 at 2:15 p.m. to hold a roundtable.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. ENZI. Mr. President, I ask unanimous consent that the communications subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, July 27, 1999, at 9:30 a.m. on privacy on the Internet.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FOREST & PUBLIC LAND MANAGEMENT

Mr. ENZI. Mr. President, I ask unanimous consent that the Subcommittee on Forests & Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, July 27, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to receive testimony on S. 439, a bill to amend the National Forest & Public Land of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, S. 719, a bill to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, and for other purposes; S. 930, a bill to provide for the sale of certain public land in the Ivanpah Valley, Nevada, to the Clark County, Nevada, Department of Aviation, S. 1030, a bill to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws; S. 1288, a bill to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes; and S. 1374, a bill to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

## BETH KENNETT AND TRADE MISSION TO IRELAND

• Mr. LEAHY. Mr. President, one of the real treasures of my State of Vermont are the people who live and

work there. Recently, I had the pleasure of leading a trade mission to Ireland with a group of Vermont business owners seeking strategic business alliances to increase trade and tourism between our state and Ireland. One of the members of the delegation, Beth Kennett, traveled to Ireland with specific goals in mind—to increase tourism from Ireland to Vermont and to learn more about agri-tourism.

Beth Kennett is the president of Vermont Farms! as well as a co-owner, along with her husband Bob, of a dairy farm that also serves as a bed and breakfast. On the trip, Mrs. Kennett was hosted by representatives of the agri-tourism industry and visited several agri-tourism farms. She was very enthusiastic throughout her stay and commented later on the diversity of her experiences. She said that one day she found herself wearing Wellies and the next she was meeting the Lord and Lady of the Manor.

I can gladly say that our mission was a success. We were able to open up doors for new business relationships and tourism between Ireland and Vermont, while also bringing back information on how to develop agri-tourism in Vermont. I ask that an article by Associated Press writer David Gram regarding Mrs. Kennett's experience be printed in the record.

The article follows:

[From the Associated Press, June 23, 1999]

FARM LIFE GROWS AS TOURISM DRAW IN VERMONT

(By David Gram)

ROCHESTER, VT. Beth Kennett calls the big, five-story, red barn with its cupola topped with a Holstein-shaped weathervane ''one of the cathedrals of the country.''

And if people from around the world travel to Paris to see the Notre Dame, why not to Rochester's Liberty Hill to see her farm?

In fact, they do. In addition to milking one of the most productive small herds of registered Holsteins in the state, Kennett, her husband Bob and her sons Tom and David—young men who are following their parents into farming—open their sprawling, two-century-old farmhouse to travelers.

They're part of a growing number of Vermont farmers who are bridging the gap between two of the mainstays of Vermont's economy: agriculture and tourism.

The Kennetts' house dates from 1825, the barn from 1889, there are splendid views of the surrounding hills, a mile of frontage on the White River with several good swimming holes, and hiking trails in the abutting Green Mountain National Forest. Down in the well kept barn, there are 65 milkers and, occasionally, a newborn calf to marvel at.

Kennett got into the hospitality business when a big drop in prices paid to farmers for milk in 1984 prompted her and her family to look for new sources of income.

''We took stock of our assets, and decided that since we had this big old farmhouse with 18 rooms, we might as well take advantage of it,'' she recalled.

Now she's got a regular clientele of guests who return year after year, she's president of a statewide association of farmers who offer lodging, tours and other amenities for visitors, and she's just back from joining Sen. Patrick Leahy, D-Vt., on a trade mission to Ireland.

For a full dinner, big breakfast and charming country lodgings complete with wide-board floors, flowered wallpaper and a claw-foot bathtub, Kennett charges $70 per adult and $30 per child. The house can accommodate 15 guests and occasionally is the destination for reunions of several branches of the same family.

''Not only has it been a diversification of income for the farm, but it's been invaluable in the number of friends we've made over the years. And it's a wonderful opportunity to educate the public about agriculture,'' she said.

Kennett is president of an association called VT Farms!, which has grown to 56 members in less than three years of existence.

Their offerings range from pick-your own strawberries and apples to wine tasting to petting zoos. Some 15 to 20 accommodate overnight guests, according to Ron Fisher, who tracks the industry for the Vermont Department of Agriculture.

''What we're looking for with agri-tourism is to literally make this another revenue stream for farmers,'' Fisher said. ''It's not going to replace the milk check, but it's another source of cash flow to the individual who's going to open up the farm to agri-tourism.''

Agri-tourism may be due for a boost from the federal government. Rep. Bernard Sanders, I-Vt., announced earlier this month that the U.S. House had approved a $1 million appropriation for a pilot project to promote the fledgling industry.

Kennett said if some funds become available, she may look for Vermont to apply some of the ideas she picked up in Ireland, where she said farm-based tourism is widely practiced, accepted and considered an integral part of the country's allure for visitors.

Fisher said state officials hope agri-tourism can help stanch the loss of farms in Vermont. There were more than 20,000 in 1950, the fast majority of them dairy operations; today there are fewer than 3,000 dairy farms in the state. Kennett said there were 11 farms shipping milk when she and her husband moved to Rochester from Addison 20 years ago; today, she said, theirs is the last farm in Rochester shipping milk.

Blending a working farm with a hospitality business is a lot of work. Kennett said she's up at milking time to make breakfast for her guests, and spends afternoon preparing dinner for her family and up to 15 guests.

But she said she has no complaints. It's been a great way to beat the isolation which can be a feature of Vermont farm life. She doesn't need to visit the world's concert halls, because there's a family of accomplished violinists who visit every year from Newton, Mass., and put on a concert at the farm.

Then there's the art professor and his class who arrive en masse for a week occasionally. They paint the surrounding scenery and then put on an art show at week's end. And there's the magician from New York who comes and puts on a show each Fourth of July.

''I don't need to go off and see the world,'' Kennett said.''The world comes to me.''●

## TRIBUTE TO VERY REVEREND A.G. DOUMATO

Mr. CHAFEE. Mr. President. I rise today to praise and commend the dedication and commitment of Very Reverend Abdulahad Gabriel Doumato who, for the past fifty years, has led the parish of Saint Ephraim's Syrian Orthodox Church in Rhode Island.

Approximately 300 friends, family members, clergymen, elected officials, and parishioners will gather on Sunday, August 1st, to honor Father Doumato on this milestone. A native of Syria, we in his adopted state of Rhode Island have benefitted from and been enriched by Father Doumato's selfless service, devotion, compassion and wisdom—attributes which have characterized his long and distinguished tenure.

Father Doumato is a compassionate individual who cares profoundly for his community. He is a deeply peaceful and religious man who possesses boundless hope and optimism. He has consistently and successfully worked for the betterment of his community and has always served with faith and devotion. Indeed, he is a man of integrity, flawless character, unquestionable commitment, and one who has earned a sterling reputation as a pillar of his community.

The original community of Saint Ephraim's Church in Rhode Island was formed by a group of immigrant families who came to the United States before the turn of the century. This small, industrious community managed to buy a house and use it as a parish center and chapel for worship. The church was subsequently chartered in 1913.

Although Saint Ephraim's has only been in existence for 86 years, the Syrian Orthodox Church has its roots in the original Christian Church of Jerusalem. The dean of Apostles, Saint Peter, who personally anointed his successor before his journey to Rome, founded the Church in Antioch. The Church's current supreme leader, His Holiness Mor Ignatius Zakka I, Patriarch of Antioch and all the East, is the 122nd direct successor of Saint Peter. The church claims a wealth of theological, liturgical, and musical traditions. Indeed, to this day the liturgy is conducted in Aramaic, the language

spoken by Jesus Christ, and was the lingua franca in the Near East.

Mr. President, Father Doumato has enjoyed an interesting and fulfilling career in the ministry of his church. Like many of us, his life has been filled with challenges, hardships and hope. Unlike many of us, however, he has enjoyed some truly unique and rich experiences. He was born in 1918 and raised in the shadow of the Cathedral Church of the Virgin Mary in the city of Homs, Syria. He was educated in Homs, first in his Church's school and later by Jesuit Brothers. His interest in theology and his Church was an early and important part of his life. His father, the late Gabriel Doumato, who immigrated to Rhode Island in 1973, was an ardent supporter of the Church and served his community in many capacities.

Upon completing his education, Father Doumato taught in the Church's schools across Syria. At the beginning of World War II, he entered the French-run National Police Academy and graduated with honors in 1939. For the next ten years, he served as a member of the National Police Force. Throughout this period, he continued to serve the Church as a deacon and was constantly urged by His Holiness Patriarch Ephraim, the Church's supreme leader, to join the ministry. In 1949, he resigned his commission and entered the Seminary of the Syrian Orthodox Church in Syria.

Father Doumato was ordained into the priesthood in August 1950 by His Holiness Patriarch Ephraim and immediately assigned to serve the church in Central Falls, Rhode Island. Because of visa delays however, he was unable to attend to this position for two years. In the meantime, he remained in Homs and served as personal secretary to His Holiness the Patriarch.

Accompanied by his wife, Victoria, and their four young children, Father Doumato arrived in Rhode Island in August 1952 to lead his new congregation. Ever since his arrival, Father Doumato has quietly and faithfully served God, his parish, our State and, indeed, our country. He has also authored numerous publications about the history of the church and its Divine Liturgy. In 1970, his dedication and self-sacrifice was recognized and honored when he was elevated to the position of Cor-Episcopose—the highest distinction of the priesthood. In 1991, he was again honored for his service and was awarded the Holy Cross of the Archdioceses of the United States and Canada.

In closing, I would like to extend my very best wishes on this special occasion to Father Doumato, to his family, and to his parishioners at Saint Ephraim's Church. We are all very proud of Father Doumato, and appreciative of his many contributions to his community, and to our state.

I would now like to recognize my colleague, Senator REED, who also wishes to honor Father Doumato.●

● Mr. REED. Mr. President, I, too, wish to join Senator CHAFEE in paying tribute to the Very Reverend Abdulahad Gabriel Doumato on the occasion of his fiftieth anniversary as leader of the parish of Saint Ephraim's Syrian Orthodox Church in Rhode Island.

A proud and patriotic ''American'', Father Doumato loves his adopted country and is happiest when helping the new immigrants within his flock assimilate into American society. Mr. President, Father Doumato is responsible for sponsoring hundreds of new citizens to our great nation, granting them the opportunity to live the American dream. He has educated these families—including those of six of his brothers and sisters—about our system of government and the privilege, opportunity, and responsibility of American citizenship.

Father Doumato is often heard telling his parishioners, ''There is no country like the United States. It truly is the land of opportunity and you should thank God for the opportunity you have to live in this great land.'' A good shepherd, Father Doumato has been a shining example to his family and his flock.

The Doumatos are a sizable and considerable clan in Rhode Island—the extended family numbers over 120 persons. We cannot imagine that there has been a single elected official in the Blackstone Valley area, or across the State, that has not come into contact with a member of the family. Indeed, father Doumato's children, grandchildren, nephews and nieces have been industrious citizens and have served our country in numerous positions of distinction, including as officers in the Armed Forces, diplomats, university educators, U.S. Senate aides and senior advisors, engineers, and leaders in law, the arts, medicine, commerce and industry. He and his family have richly contributed to the betterment of our community in Rhode Island.

Mr. President, in closing, I would also like to wish Reverend Doumato and his wife, Victoria, a happy and healthy 57th Anniversary, which they will celebrate later this year.

May his children and grandchildren—along with his parishioners—continue to benefit from his wisdom!●

## CHANNEL ONE NETWORK

● Mr. BROWNBACK. Mr. President, I will ask to include in the CONGRESSIONAL RECORD two letters recognizing the efforts of the Channel One Network in educating school-age children in the dangers of drug use.

These letters were originally included in the transcript of the Senate Committee on Health, Education, Labor, and Pensions hearing on July 13 regarding Drug Free Schools.

The first is from Richard Bonnette, President of the Partnership for a Drug Free America. Mr. Bonnette thanks Channel One for supporting the mission of Partnership for a Drug-Free America by changing millions of young people's attitudes about drugs.

In the second letter, I join Mr. Bonnette's praise of Channel One's airing of $25 million worth of pro bono anti-drug public service announcements over the last ten years as part of its news broadcasts to school-aged children.

I am pleased to join Mr. Bonnette in congratulating Channel One on their efforts.

I ask that these letters be printed in the RECORD.

The letters follow.

U.S. SENATE,
*Washington, DC, July 14, 1999.*

Hon. JAMES JEFFORDS,
*Chairman, Senate Committee on Health, Education, Labor, and Pensions, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: I respectfully request that the attached letter from Richard Bonnette, President and CEO of the Partnership for a Drug-Free America be made a part of the record for the Committee's July 13, 1999 hearing on Drug Free Schools.

Mr. Bonnette writes in praise of the excellent public service of the Channel One Network in educating our nation's youth about the dangers of drug use. I would like to join Mr. Bonnette's praise of the Channel One Network.

Over the past ten years, Channel One has aired more than $25 million worth of anti-drug public service announcements as part of its news broadcasts to school-aged children. The efforts of the Channel One Network demonstrates good corporate citizenship. When we in Congress call upon the media and entertainment industries to act responsibly for the benefit of our children, this is part of what we are talking about.

Mr. Bonnette's letter refers to a study conducted between 1995–1997 by the Partnership for a Drug Free America. The study found strong evidence that students in Channel One schools had significantly more negative attitudes about drugs, and were much more aware of the risks of drugs than students in non-Channel One schools. I am pleased to here add my praise of their efforts.

Sincerely,

SAM BROWNBACK,
*U.S. Senator.*

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PARTNERSHIP FOR A DRUG-FREE AMERICA,
*New York, NY, May 14, 1999.*

Mr. KEVIN MCALILEY,
*President and CEO, Channel One Network, New York, NY.*

DEAR MR. MCALILEY: I am writing to thank Channel One for its unceasing dedication and steadfast commitment to educating the young people of this country about the dangers of drug use. Channel One has supported the Partnership's mission by extensively covering the drug issue through your programming and by airing more than $25 million worth of anti-drug public service announcements—pro bono—since your inception in 1990. The incontrovertible fact is that because of Channel One, millions of teens are keeping away from drugs.

For the past ten years, Channel One has been instrumental in supporting Partnership for a Drug-Free America's mission by changing millions of young people's attitudes about drugs. This is not speculation—it is fact. The Partnership conducted the Partnership Attitude Tracking Study, 1995–1997 and compared Channel One students' attitudes towards drug use versus those of students from non-Channel One schools. The study found conclusive evidence that Channel One students had significantly more negative attitudes about drugs and were much more

aware of the risks of drugs than students in non-Channel One schools. By utilizing your Web site, Channel One has also been able to expand its reach beyond the Channel One school audience and encourage national youth involvement in this issue.

Please accept our thanks and congratulations for Channel One's important work. Channel One's passion and concern for America's children is admirable and your support of the Partnership has been vital in reinforcing anti-drug messages to teens.

Sincerely,

RICHARD D. BONNETTE.●

## DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

On July 22, 1999, the Senate passed S. 1217. The text of the bill follows:

S. 1217

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 2000, and for other purposes, namely:

### TITLE I—DEPARTMENT OF JUSTICE

#### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $82,485,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided,* That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $8,136,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 1999: *Provided further,* That not to exceed 41 permanent positions and 48 full-time equivalent workyears and $4,811,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further,* That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the aforementioned proviso.

##### JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System, $6,000,000, to remain available until expended.

##### NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications as mandated by section 104 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 903(d)(1)), $20,000,000, to remain available until expended: *Provided,* That such funds may be transferred to any Department of Justice organization upon approval by the Attorney General: *Provided further,* That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

##### COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $27,000,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities; and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: *Provided,* That any Federal agency may be reimbursed for the costs of detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States: *Provided further,* That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

##### TELECOMMUNICATIONS CARRIER COMPLIANCE FUND

For payments authorized by section 109 of the Communications Assistance for Law Enforcement Act (47 U.S.C. 1008), $15,000,000, to remain available until expended.

##### ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $30,727,000.

In addition, $59,251,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $32,049,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General.

#### UNITED STATES PAROLE COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, $7,176,000.

#### LEGAL ACTIVITIES

##### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $299,260,000; of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided,* That of the funds available in this appropriation, not to exceed $55,166,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through ''Salaries and Expenses'', General Administration: *Provided further,* That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses.

In addition, $185,740,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, as amended, not to exceed $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

##### SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $112,318,000: *Provided,* That, notwithstanding section 3302(b) of title 31, United States Code, not to exceed $112,318,000 of offsetting collections derived from fees collected in fiscal year 2000 for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at not more than $0.

##### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $589,478,000; of which not to exceed $2,500,000 shall be available until September 30, 2000, for (1) training personnel in debt collection, (2) locating debtors and their property, (3) paying the net costs of selling property, and (4) tracking debts owed to the United States Government: *Provided,* That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: *Provided further,* That, notwithstanding any other provision of this Act, of the amount made available under this heading, not to exceed $20,000,000 may be transferred to, and merged with, funds in the ''Federal Prisoner Detention'' appropriations account: *Provided further,* That not to exceed $10,000,000 of those funds available for automated litigation support contracts shall remain available until expended: *Provided further,* That not to exceed $2,500,000 for the operation of the National Advocacy Center shall remain available until expended: *Provided further,* That not to exceed $1,000,000 shall remain available until expended for the expansion of existing Violent Crime Task Forces in United States Attorneys Offices into demonstration projects, including inter-governmental, inter-local, cooperative, and task-force agreements, however denominated, and contracts with State and local prosecutorial and law enforcement agencies engaged in the investigation and prosecution of violent crimes: *Provided further,* That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 9,044 positions and 9,312 full-time equivalent workyears shall be supported from the funds appropriated in this Act or made available during fiscal year 2000 under any other Act for the United States Attorneys, of which 2,107 positions and 2,171 full-time equivalents shall be dedicated to civil or civil defensive litigation: *Provided further,* That $27,000,000 shall only be available to support or establish task forces to enforce Federal laws related to preventing the possession by criminals of firearms (as defined in section 921(a) of title 18, United States Code), of which $5,000,000 shall be for a task force in each of the paired locations of Philadelphia, Pennsylvania, and Camden, New Jersey; Las Cruces, New Mexico, and Albuquerque, New Mexico; Savannah, Georgia, and Charleston, South Carolina; Baltimore, Maryland, and Prince Georges County, Maryland; and Denver, Colorado, and Salt Lake City, Utah; and of which $1,000,000 shall be for the task force coordinated by the Office of the United States Attorney for the Eastern District of Wisconsin, and $1,000,000 shall be for the task forces coordinated by the Office of the

United States Attorney for the Western District of New York and task forces coordinated by the Office of the United States Attorney for the Northern District of New York.

In addition, $500,000,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized by 28 U.S.C. 589a(a), $112,775,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $112,775,000 of offsetting collections derived from fees collected pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,175,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles, and the purchase of passenger motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, $409,253,000, as authorized by 28 U.S.C. 561(i); of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which not to exceed $4,000,000 for development, implementation, maintenance and support, and training for an automated prisoner information system shall remain available until expended: *Provided*, That none of the amount made available under this heading may be used to contract with any individual to perform the duties of an officer or employee of the United States Marshals Service on a temporary or intermittent basis, except for prisoner ground transport, service of process, and evictions: *Provided further*, That none of the amount made available under this heading may be used for the service of process on any person by an officer or employee of the United States Marshals Service, unless such service of process is pursuant to a written request made by a judge of the United States (as defined in section 451 of title 28, United States Code) and approved by the Attorney General.

In addition, $138,000,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States courthouses and federal buildings, including the renovation and expansion of prisoner movement areas, elevators, and sallyports, $9,632,000, to remain available until expended.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND, UNITED STATES MARSHALS SERVICE

Beginning in fiscal year 2000 and thereafter, payment shall be made from the Justice Prisoner and Alien Transportation System Fund for the payment of necessary expenses related to the scheduling and transportation of United States prisoners and illegal and criminal aliens in the custody of the United States Marshals Service, as authorized in 18 U.S.C. 4013, including, without limitation, salaries and expenses, operations, and the acquisition, lease, and maintenance of aircraft and support facilities: *Provided*, That the Fund shall be reimbursed or credited with advance payments from amounts available to the Department of Justice, other Federal agencies, and other sources at rates that will recover the expenses of Fund operations, including, without limitation, accrual of annual leave and depreciation of plant and equipment of the Fund: *Provided further*, That proceeds from the disposal of Fund aircraft shall be credited to the Fund: *Provided further*, That amounts in the Fund shall be available without fiscal year limitation, and may be used for operating equipment lease agreements that do not exceed 5 years: *Provided further*, That with respect to the transportation of Federal, State, local and territorial prisoners and detainees, the lease or rent of aircraft by the Justice Prisoner Air Transport System shall be considered use of public aircraft pursuant to 49 U.S.C. section 40102(a)(37).

For the initial capitalization costs of the Fund, $9,000,000.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General, $500,000,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $110,000,000, to remain available until expended; of which not to exceed $6,000,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; and of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses: *Provided*, That, notwithstanding any other provision of this Act, of the amount made available under this heading, not to exceed $15,000,000 may be transferred to, and merged with, funds in the ''Federal Prisoner Detention'' appropriations account.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, $7,199,000.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (F), and (G), as amended, $23,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,000,000.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, $20,300,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $304,014,000, of which $20,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further*, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

HIGH INTENSITY INTERSTATE GANG ACTIVITY AREAS PROGRAM

For expenses necessary to establish and implement the High Intensity Interstate Gang Activity Areas Program (including grants, contracts, cooperative agreements and other assistance) pursuant to section 205 of S. 254 as passed by the Senate on May 20, 1999, and consistent with the funding proportions established therein, $20,000,000.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $2,692,791,000; of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 2001; of which not less than $260,000,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed $14,000,000 for research, development, test, and evaluation shall remain available until expended; and of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; and of which $1,500,000 shall be available to maintain an independent program office dedicated solely to the automation of fingerprint identification services: *Provided*, That not to exceed $65,000 shall be available for official reception and representation expenses: *Provided further*, That, including reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 27,604 positions and 27,604 full-time equivalent workyears shall be supported from the funds appropriated in this Act or made available during fiscal year 2000 under any other Act for the Federal Bureau of Investigation: *Provided further*, That no funds in this Act may be used to provide ballistics imaging equipment

to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government.

In addition, $280,501,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $10,287,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; acquisition, lease, maintenance, and operation of aircraft; $798,187,000, of which not to exceed $1,800,000 for research shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2001; and of which not to exceed $50,000 shall be available for official reception and representation expenses.

In addition, $419,459,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $5,500,000, to remain available until expended.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; for protecting and maintaining the integrity of the borders of the United States including, without limitation, equipping, maintaining, and making improvements to the infrastructure; and for the care and housing of Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service's Buffalo Detention Facility, $1,697,164,000, of which not to exceed $400,000 for research shall remain available until expended; of which not to exceed $10,000,000 shall be available for costs associated with the training program for basic officer training, and $5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; and of which not to exceed $5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: *Provided*, That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of $20,000 during the calendar year beginning January 1, 2000: *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That not to exceed $5,000 shall be available for official reception and representation expenses: *Provided further*, That any Border Patrol agent classified in a GS–1896 position who completes a 1-year period of service at a GS–9 grade and whose current rating of record is fully successful or higher shall be classified at a GS–11 grade and receive pay at the minimum rate of basic pay for a GS–11 position: *Provided further*, That the Commissioner shall within 90 days develop a plan for coordinating and linking all relevant Immigration and Naturalization Service databases with those of the Justice Department and other Federal law enforcement agencies, to determine criminal history, fingerprint identification, and record of prior deportation, and, upon the approval of the Committees on the Judiciary and the Commerce, Justice, State, and the Judiciary Appropriations Subcommittees, shall implement the plan within fiscal year 2000: *Provided further*, That the Commissioner shall have the authority to provide a language proficiency bonus, as a recruitment incentive, to graduates of the Border Patrol Academy from funds otherwise provided for language training: *Provided further*, That the Commissioner shall fully coordinate and link all Immigration and Naturalization Service databases, including IDENT, with databases of the Department of Justice and other Federal law enforcement agencies containing information on criminal histories and records of prior deportations: *Provided further*, That the Immigration and Naturalization Service shall only accept cash or a cashier's check when receiving or processing applications for benefits under the Immigration and Nationality Act: *Provided further*, That, including reimbursable full-time equivalent workyears available to the Immigration and Naturalization Service, not to exceed 29,784 positions and 29,784 full-time equivalent workyears shall be supported from the funds appropriated in this Act or made available during fiscal year 2000 under any other Act for the Immigration and Naturalization Service: *Provided further*, That not to exceed 39 permanent positions and 39 full-time equivalent workyears and $4,284,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further*, That the latter two aforementioned offices shall be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis and such augmentation may not exceed 4 full-time equivalent workyears: *Provided further*, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed 4 permanent positions and 4 full-time equivalent workyears.

VIOLENT CRIME REDUCTION PROGRAMS

In addition, $873,000,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $138,964,000, to remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 708, of which 602 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $3,116,774,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further*, That not to exceed $6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 for the activation of new facilities shall remain available until September 30, 2000: *Provided further*, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That, notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

In addition, $46,599,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $549,791,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation:

*Provided further,* That not to exceed 10 percent of the funds appropriated to ''Buildings and Facilities'' in this Act or any other Act may be transferred to ''Salaries and Expenses'', Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $168,592,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by Public Law 102–534 (106 Stat. 3524), of which $2,000,000 shall be made available to the Department of Psychiatry and Human Behavior at the University of Mississippi School of Medicine for research in addictive disorders and their connection to youth violence, and $204,500,000 for counterterrorism programs, including $40,000,000 as authorized by Section 821 of the Antiterrorism and Effective Death Penalty Act of 1996, respectively: *Provided further,* That none of these funds made available under this heading shall be provided to any State that has failed to establish a comprehensive counterterrorism plan which has been approved by the National Domestic Preparedness Office.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, $552,100,000, to remain available until expended, as authorized by section 1001 of title I of said Act, as amended by Public Law 102–534 (106 Stat. 3524), of which $5,000,000 shall be available to the National Institute of Justice for a national evaluation of the Byrne program, of which $52,100,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs: *Provided,* That of the total amount appropriated, not to exceed $1,000,000 shall be available to the TeamMates of Nebraska project.

VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the ''Justice Assistance'' account) authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); and the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''), $1,407,450,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $400,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, the Commonwealth of Puerto Rico shall be considered a ''unit of local government'' as well as a ''State'', for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: *Provided,* That no funds provided under this heading may be used as matching funds for any other Federal grant program: *Provided further,* That $50,000,000 of this amount shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: *Provided further,* That funds may also be used to defray the costs of indemnification insurance for law enforcement officers: *Provided further,* That $20,000,000 shall be available to carry out section 102(2) of H.R. 728: *Provided further,* That $30,000,000 shall be available for the Police Corps training program, as authorized by sections 200101–200113 of the 1994 Act; of which $260,000,000 shall be available to carry out section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), including for grants for law enforcement equipment for discretionary grants to States, local units of government, and Indian tribes, of which $500,000 is available for a new truck safety initiative in the State of New Jersey, of which $100,000 shall be used to award a grant to Charles Mix County, South Dakota, to upgrade the 911 emergency telephone system, of which $40,000,000 is for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993, of which $15,000,000 is for the National Institute of Justice to develop school safety technologies, of which $12,000,000 is available for the Office of Justice Program's Global Criminal Justice Information Network for work with states and local jurisdictions; of which $100,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; of which $75,000,000 shall be for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, of which $41,000,000 shall be available for the Cooperative Agreement Program, and of which $34,000,000 shall be reserved by the Attorney General for fiscal year 2000 under section 20109(a) of subtitle A of title II of the 1994 Act; of which $10,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; of which $2,000,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; of which $206,750,000 shall be for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, including $23,000,000 which shall be used exclusively for the purpose of strengthening civil legal assistance programs for victims of domestic violence, and $10,000,000 which shall be used exclusively for violence on college campuses: *Provided further,* That, of these funds, $5,200,000 shall be provided to the National Institute of Justice for research and evaluation of violence against women, and $10,000,000 shall be available to the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended; of which $34,000,000 shall be for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act; of which $25,000,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act; of which $5,000,000 shall be for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects; of which $1,000,000 shall be for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act; of which $5,000,000 shall be for the Tribal Courts Initiative; of which $300,000 shall be used to award a grant to the Wakpa Sica Historical Society; of which $63,000,000 shall be for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act; of which $30,000,000 shall be for State and local forensic laboratories as authorized by section 1001(a)(22) of the 1968 Act, as well as for improvements to the State and local forensic laboratory general forensic science capabilities to reduce their DNA convicted offender database sample backlog; of which $900,000 shall be for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act; of which $1,300,000 shall be for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act; of which $40,000,000 shall be for Drug Courts, as authorized by title V of the 1994 Act; of which $1,500,000 shall be for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; of which $2,000,000 shall be for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act; and of which $100,000,000 shall be for Juvenile Accountability Incentive Block Grants, except that such funds shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105–119, but all references in such provisions to 1998 shall be deemed to refer instead to 1999; of which $45,000,000 shall be available for the Indian Country Initiative: *Provided further,* That funds made available in fiscal year 2000 under subpart 1 of

part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing initiatives: *Provided further,* That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $40,000,000 to remain available until expended, for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: *Provided,* That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further,* That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 104–322) (referred to under this heading as the ''1994 Act''), including administrative costs, $325,000,000 to remain available until expended for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, of which $140,000,000 shall be derived from the Violent Crime Reduction Trust Fund: *Provided,* That $180,000,000 shall be available for school resource officers: *Provided further,* That not to exceed $17,325,000 shall be expended for program management and administration: *Provided further,* That of the unobligated balances available in this program, $170,000,000 shall be used for innovative community policing programs, of which $90,000,000 shall be used for the Crime Identification Technology Initiative, $25,000,000 shall be used for the Bulletproof Vest Program, and $25,000,000 shall be used for the Methamphetamine Program: *Provided further,* That the funds made available under this heading for the Methamphetamine Program shall be expended as directed in Senate Report 106–76: *Provided further,* That of the funds made available under this heading for school resource officers, $900,000 shall be for a grant to King County, Washington.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, (''the Act''), including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $277,597,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which (1) notwithstanding any other provision of law, $6,847,000 shall be available for expenses authorized by part A of title II of the Act, $89,000,000 shall be available for expenses authorized by part B of title II of the Act, and $49,750,000 shall be available for expenses authorized by part C of title II of the Act, of which $500,000 shall be made available for the Youth Advocacy Program: *Provided,* That $26,500,000 of the amounts provided for part B of title II of the Act, as amended, is for the purpose of providing additional formula grants under part B to States that provide assurances to the Administrator that the State has in effect (or will have in effect no later than one year after date of application) policies and programs, that ensure that juveniles are subject to accountability-based sanctions for every act for which they are adjudicated delinquent; (2) $12,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) $10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) $15,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; (5) $95,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs; of which $20,000,000 shall be for delinquency prevention, control, and system improvement programs for tribal youth; of which $25,000,000 shall be available for grants of $360,000 to each state and $6,640,000 shall be available for discretionary grants to states, for programs and activities to enforce state laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training: *Provided further,* That upon the enactment of reauthorization legislation for Juvenile Justice Programs under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, funding provisions in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation shall no longer have effect: *Provided further,* That of amounts made available under the Juvenile Justice Programs of the Office of Justice Programs to carry out part B (relating to Federal Assistance for State and Local Programs), subpart II of part C (relating to Special Emphasis Prevention and Treatment Programs), part D (relating to Gang-Free Schools and Communities and Community-Based Gang Intervention), part E (relating to State Challenge Activities), and part G (relating to Mentoring) of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, and to carry out the At-Risk Children's Program under title V of that Act, not more than 10 percent of each such amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized under the appropriate part or title, and not more than 2 percent of each such amount may be used for training and technical assistance activities designed to benefit the programs or activities authorized under that part or title: *Provided further,* That of the total amount appropriated not to exceed $550,000 shall be available to the Lincoln Action Program's Youth Violence Alternative Project.

In addition, $38,000,000 shall be available for the Safe Schools Initiative.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $7,000,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340) and, in addition, $3,500,000, to remain available until expended, for programs authorized by section 1201(h) of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Section 110 of division C of Public Law 104–208 is repealed.

SEC. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided,* That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 104. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided,* That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: *Provided,* That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 20 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. Notwithstanding any other provision of law, for fiscal year 2000 and thereafter, the Assistant Attorney General for the Office of Justice Programs of the Department of Justice—

(1) may make grants, or enter into cooperative agreements and contracts, for the Office of Justice Programs and the component organizations of that Office; and

(2) shall have final authority over all grants, cooperative agreements, and contracts made, or entered into, for the Office of Justice Programs and the component organizations of that Office.

SEC. 109. (a)(1) Notwithstanding any other provision of law, for fiscal year 2000, the Attorney General may obligate any funds appropriated for or reimbursed to the Counterterrorism programs, projects or activities of the Department of Justice to purchase or lease equipment or any related items, or to acquire interim services, without regard to any otherwise applicable Federal acquisition rule, if the Attorney General determines that—

(A) there is an exigent need for the equipment, related items, or services in order to support an ongoing counterterrorism, national security, or computer-crime investigation or prosecution;

(B) the equipment, related items, or services required are not available within the Department of Justice; and

(C) adherence to that Federal acquisition rule would—

(i) delay the timely acquisition of the equipment, related items, or services; and

(ii) adversely affect an ongoing counterterrorism, national security, or computer-crime investigation or prosecution.

(2) In this subsection, the term ''Federal acquisition rule'' means any provision of title II or IX of the Federal Property and Administrative Services Act of 1949, the Office of Federal Procurement Policy Act, the Small Business Act, the Federal Acquisition Regulation, or any other provision of law or regulation that establishes policies, procedures, requirements, conditions, or restrictions for procurements by the head of a department or agency or the Federal Government.

(b) The Attorney General shall immediately notify the Committees on Appropriations of the House of Representatives and the Senate in writing of each expenditure under subsection (a), which notification shall include sufficient information to explain the circumstances necessitating the exercise of the authority under that subsection.

SEC. 110. Notwithstanding any other provision of law for fiscal year 2000 and thereafter, in any action brought by a prisoner under section 1979 of the Revised Statutes (42 U.S.C. 1983) against a Federal, State, or local jail, prison, or correctional facility, or any employee or former employee thereof, arising out of the incarceration of that prisoner—

(1) the financial records of a person employed or formerly employed by the Federal, State, or local jail, prison, or correctional facility, shall not be subject to disclosure without the written consent of that person or pursuant to a court order, unless a verdict of liability has been entered against that person; and

(2) the home address, home phone number, social security number, identity of family members, personal tax returns, and personal banking information of a person described in paragraph (1), and any other records or information of a similar nature relating to that person, shall not be subject to disclosure without the written consent of that person, or pursuant to a court order.

SEC. 111. Hereafter, for payments of judgments against the United States and compromise settlements of claims in suits against the United States arising from the Financial Institutions Reform, Recovery and Enforcement Act and its implementation, such sums as may be necessary, to remain available until expended: *Provided*, That the foregoing authority is available solely for payment of judgments and compromise settlements: *Provided further*, That payment of litigation expenses is available under existing authority and will continue to be made available as set forth in the Memorandum of Understanding between the Federal Deposit Insurance Corporation and the Department of Justice, dated October 2, 1998, and may not be paid from amounts provided in this Act.

SEC. 112. Section 2(c) of the Public Law 104–232, as amended, is further amended by replacing ''five'' with ''three''.

SEC. 113. Section 4006 of title 18, United States Code, is amended—

(1) by striking ''The Attorney General'' and inserting the following: ''(a) IN GENERAL.—The Attorney General''; and

(2) by adding at the end the following:

''(b) HEALTH CARE ITEMS AND SERVICES.—

''(1) IN GENERAL.—Payment for costs incurred for the provision of health care items and services for individuals in the custody of the United States Marshals Service shall not exceed the lesser of the amount that would be paid for the provision of similar health care items and services under—

''(A) the medicare program under title XVIII of the Social Security Act; or

''(B) the medicaid program under title XIX of such Act of the State in which the services were provided.

''(2) FULL AND FINAL PAYMENT.—Any payment for a health care item or service made pursuant to this subsection, shall be deemed to be full and final payment.''.

SEC. 114. (a) The Attorney General shall establish by plain rule that it shall be punishable conduct for any Department of Justice employee, in the discharge of his or her official duties, intentionally to—

(1) seek the indictment of any person in the absence of a reasonable belief of probable cause, as prohibited by the Principles of Federal Prosecution, U.S. Attorneys' Manual 9–27.200 et seq.;

(2) fail to disclose exculpatory evidence to the defense, in violation of his or her obligations under Brady v. Maryland, 373 U.S. 83 (1963);

(3) mislead a court as to the guilt of any person by knowingly making a false statement of material fact or law;

(4) offer evidence lawyers know to be false;

(5) alter evidence in violation of 18 U.S.C. 1503;

(6) attempt to corruptly influence or color a witness' testimony with the intent to encourage untruthful testimony, in violation of 18 U.S.C. 1503 and 1512;

(7) violate a defendant's right to discovery under Federal Rule of Criminal Procedure 16(a);

(8) offer or provide sexual activities to any government witness or potential witness as in exchange for or on account of his or her testimony;

(9) improperly disseminate confidential, non-public information to any person during an investigation or trial, in violation of 28 C.F.R. 50.2, Federal Rule of Criminal Procedure 6(e); 18 U.S.C. 2511(1)(c), 18 U.S.C. 2232 (b) and (c), 26 U.S.C. 6103, or United States Attorneys' Manual 1–7.000 et seq.

(b) The Attorney General shall establish a range of penalties for engaging in conduct described above that shall include—

(1) reprimand;

(2) demotion;

(3) dismissal;

(4) referral of ethical charges to the bar;

(5) suspension from employment; and

(6) referral of the allegations, if appropriate, to a grand jury for possible criminal prosecution.

(c) Subsection (a) is not intended to and does not create substantive rights on behalf of criminal defendants, civil litigants, targets or subjects of investigation, witnesses, counsel for represented parties or represented parties, or any other person, and shall not be a basis for dismissing criminal or civil charges or proceedings against any person or for excluding relevant evidence in any proceeding in any court of the United States.

SEC. 115. (a) Hereafter, none of the funds made available by this or any other Act may be used to pay premium pay under title 5, United States Code, sections 5542 to 5549, to any individual employed as an attorney, including an Assistant United States Attorney, in the U.S. Department of Justice for any work performed on or after the date of enactment of this Act.

(b) Hereafter, notwithstanding any other provision of law, neither the United States nor any individual or entity acting on its behalf shall be liable for premium pay under title 5, United States Code, sections 5542 to 5549, for any work performed on or after the date of enactment of this Act by any individual employed as an attorney in the Department of Justice, including an Assistant United States Attorney.

SEC. 116. Notwithstanding any other provision of this Act, the total of the amounts appropriated under this title of this Act is reduced by $2,468,000, out of which the reductions for each account shall be made in accordance with the chart on fiscal year 2000 general pricing level adjustment dated May 4, 1999, provided to Congress by the Department of Justice.

SEC. 117. Section 113 of the Department of Justice Appropriations Act, 1999 (section 101(b) of division A of Public Law 105–277), as amended by section 3028 of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106–31), is further amended by striking the first comma and inserting ''for fiscal year 2000 and hereafter,''.

SEC. 118. No funds provided in this Act may be used by the Office of Justice Programs to support a grant to pay for State and local law enforcement overtime in extraordinary, emergency situations unless the Appropriations Committees of both Houses of Congress are notified in accordance with the procedures contained in section 605 of this Act.

SEC. 119. Hereafter, notwithstanding any other provision of law, the Attorney General shall grant a national interest waiver under section 203(b)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(2)(B)) on behalf of any alien physician with respect to whom a petition for preference classification has been filed under section 203(b)(2)(A) of such Act (8 U.S.C. 1153(b)(2)(A)) if—

(1) the alien physician seeks to work in an area designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Department of Veterans Affairs; and

(2) a Federal agency or a State department of public health has previously determined that the alien physician's work in such an area or at such facility was in the public interest.

SEC. 120. For fiscal year 2000, the Director of the United States Marshals Service shall, within available funds, provide a magnetometer and not less than one qualified guard at each unsecured entrance to the real property (including offices, buildings, and related grounds and facilities) that is leased to the United States as a place of employment for Federal employees at 625 Silver, S.W., in Albuquerque, New Mexico.

SEC. 121. Section 286(q)(1)(A) of the Immigration and Nationality Act of 1953 (8 U.S.C. 1356(q)(1)(A)), as amended, is further amended—

(1) by deleting clause (ii);

(2) by renumbering clause (iii) as (ii); and

(3) by striking '', until September 30, 2000,'' in clause (iv) and renumbering that clause as (iii).

SEC. 122. (a) In this section:

(1) The term ''hate crime'' has the meaning given the term in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

(2) The term ''older individual'' means an individual who is age 65 or older.

(b) The Attorney General shall conduct a study concerning—

(1) whether an older individual is more likely than the average individual to be the target of a crime;

(2) the extent of crimes committed against older individuals; and

(3) the extent to which crimes committed against older individuals are hate crimes.

(c) Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report containing the results of the study.

SEC. 123. (a) In implementing the Institutional Hearing Program and the Institutional Removal Program of the Immigration and Naturalization Service, the Attorney General shall give priority to—

(1) those aliens serving a prison sentence for a serious violent felony, as defined in section 3559(c)(2)(F) of title 18, United States Code; and

(2) those aliens arrested by the Border Patrol and subsequently incarcerated for drug violations.

(b) Not later than March 31, 2000, the Attorney General shall submit a report to Congress describing the steps taken to carry out subsection (a).

SEC. 124. Notwithstanding any other provision of law, $190,000 of funds granted to the City of Camden, New Jersey, in 1996 as a part of a Federal local law enforcement block grant may be retained by Camden and spent for the purposes permitted by the grant through the end of fiscal year 2000.

This title may be cited as the ''Department of Justice Appropriations Act, 2000''.

## TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

### TRADE AND INFRASTRUCTURE DEVELOPMENT

### RELATED AGENCIES

#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $26,067,000, of which $1,000,000 shall remain available until expended: *Provided,* That not to exceed $98,000 shall be available for official reception and representation expenses.

#### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $45,700,000, to remain available until expended.

### DEPARTMENT OF COMMERCE

#### INTERNATIONAL TRADE ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment, $290,696,000, to remain available until expended, of which $3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: *Provided,* That of the $311,344,000 provided for in direct obligations (of which $308,344,000 is appropriated from the General Fund, $3,000,000 is derived from fee collections, $68,729,000 shall be for Trade Development, $22,549,000 shall be for Market Access and Compliance, $31,420,000 shall be for the Import Administration, $169,398,000 shall be for the United States and Foreign Commercial Service, $14,449,000 shall be for Executive Direction and Administration, and $4,799,000 shall be for carryover restoration: *Provided further,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

#### EXPORT ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $55,931,000 to remain available until expended, of which $1,877,000 shall be for inspections and other activities related to national security: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further,* That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments: *Provided further,* That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China, unless, at least 15 days in advance, the Committees on Appropriations of the House and the Senate and other appropriate Committees of the Congress are notified of such proposed action.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

##### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, and for trade adjustment assistance, $203,379,000 to be made available until expended.

##### SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $24,937,000: *Provided,* That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

#### MINORITY BUSINESS DEVELOPMENT AGENCY

##### MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $27,627,000.

#### ECONOMIC AND INFORMATION INFRASTRUCTURE

#### ECONOMIC AND STATISTICAL ANALYSIS

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $51,158,000, to remain available until September 30, 2001.

#### BUREAU OF THE CENSUS

##### SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $156,944,000.

##### PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to conduct the decennial census, $2,789,545,000 to remain available until expended.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $125,209,000, to remain available until expended.

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $11,009,000, to remain available until expended: *Provided,* That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further,* That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide

any spectrum functions pursuant to the NTIA Organization Act, 47 U.S.C. 902–903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by sections 391 and 392 of the Communications Act of 1934, as amended, $30,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed $1,800,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year: *Provided further*, That, hereafter, notwithstanding any other provision of law, the Pan-Pacific Education and Communication Experiments by Satellite (PEACESAT) Program is eligible to compete for Public Telecommunications Facilities, Planning and Construction funds.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $18,102,000, to remain available until expended as authorized by section 391 of the Act: *Provided*, That not to exceed $3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That, notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: *Provided further*, That notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, $785,976,000, to remain available until expended: *Provided*, That of this amount, $785,976,000 shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at $0: *Provided further*, That, during fiscal year 2000, should the total amount of offsetting fee collections be less than $785,976,000, the total amounts available to the Patent and Trademark Office shall be reduced accordingly: *Provided further*, That any amount received in excess of $785,976,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $7,972,000, of which not to exceed $600,000 shall remain available until September 30, 2001.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $288,128,000, to remain available until expended, of which not to exceed $282,000 may be transferred to the ''Working Capital Fund''.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $109,836,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $226,500,000, to remain available until expended, of which not to exceed $73,000,000 shall be available for the award of new grants, and of which not to exceed $500,000 may be transferred to the ''Working Capital Fund''.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $117,500,000, to remain available until expended, of which not to exceed $10,000,000 shall be used to fund a cooperative agreement with the University of South Carolina School of Medicine, and of which not to exceed $10,000,000 shall be used to fund a cooperative agreement with Dartmouth College.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i; $1,783,118,000, to remain available until expended, of which $6,000,000 shall be used by the National Ocean Service as response and restoration funding for coral reef assessment, monitoring, and restoration, and from available funds, $1,000,000 shall be made available for essential fish habitat activities, and $250,000 shall be made available for a bull trout habitat conservation plan, of which $112,520,000 shall be used for resource information activities of the National Marine Fisheries Service and $806,000 shall be used for the Narragansett Bay cooperative study conducted by the Rhode Island Department of Environmental Management in cooperation with the Federal Government, of which $390,000 shall be used by the National Ocean Service to upgrade an additional 13 Great Lakes water gauging stations in order to ensure compliance with Year 2000 (Y2K) computer date processing requirements: *Provided*, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, $66,426,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': *Provided further*, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000: *Provided further*, That the Secretary of Commerce shall make funds available to implement the mitigation recommendations identified subsequent to the ''1995 Secretary's Report to Congress on Adequacy of NEXRAD Coverage and Degradation of Weather Services'', and shall ensure continuation of weather service coverage for these communities until mitigation activities are completed: *Provided further*, That no general administrative charge shall be applied against any assigned activity included in this Act and, further, that any direct administrative expenses applied against assigned activities shall be limited to five percent of the funds provided for that assigned activity: *Provided further*, That of the amount made available under this heading for the National Marine Fisheries Services Pacific Salmon Treaty Program, $5,000,000 is appropriated for a Southern Boundary and Transboundary Rivers Restoration Fund, subject to express authorization: *Provided further*, That the Secretary may proceed as he deems necessary to have the National Oceanic and Atmospheric Administration occupy and operate its research facilities which are located at Lafayette, Louisiana.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $670,578,000, to remain available until expended: *Provided*, That unexpended balances of amounts previously made available in the ''Operations, Research, and Facilities'' account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations listed under the Endangered Species Act, $100,000,000: *Provided*, That, of the amounts provided, $18,000,000 each is made available as direct payments to the States of California, Oregon, Washington, and $20,000,000 is made available as a direct payment to the State of Alaska: *Provided further*, That, of the amounts provided, $6,000,000 shall be made available to Pacific Coastal tribes (as defined by the Secretary of Commerce) through the Department of Commerce, which

shall allocate the funds to tribes in California and Oregon, and to tribes in Washington after consultation with the Washington State Salmon Recovery Funding Board: *Provided further,* That the Secretary ensure the aforementioned $6,000,000 be used for restoration of Pacific Salmonid populations listed under the Endangered Species Act: *Provided further,* That funds to tribes in Washington shall be used only for grants for planning (not to exceed 10 percent of grant), physical design, and completion of restoration projects: *Provided further,* That each tribe receiving a grant in Washington State derived from the aforementioned $6,000,000 provide a report on the specific use and effectiveness of such recovery project grant in restoring listed Pacific Salmonid populations, which report shall be made public and shall be provided to the Committees on Appropriations in the United States House of Representatives and the United States Senate through the Salmon Recovery Funding Board by December 1, 2000: *Provided further,* That $15,000,000 is made available to the State of Washington as a direct payment for implementation of the June 3, 1999 Agreement of the United States and Canada on the Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, 1985 (hereafter referred to as the ''Pacific Salmon Treaty'') extending the Treaty framework to include habitat protection objectives: *Provided further,* That $5,000,000 is made available as a direct payment to the State of Alaska for implementation of the June 3, 1999 Agreement of the United States and Canada on the Pacific Salmon Treaty extending the Treaty framework to include habitat protection objectives for fisheries enhancement measures.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $4,000,000, for purposes set forth in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of such Act.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $953,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627), and the American Fisheries Promotion Act (Public Law 96–561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $189,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, $2,038,000, as authorized by the Merchant Marine Act of 1936, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed $3,000 for official entertainment, $34,046,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (App. 1–11 as amended by Public Law 100–504), $17,900,000.

FISHERIES PROMOTIONAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $1,187,000 are rescinded.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce, shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such Department or agency: *Provided,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 208. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103–356: *Provided,* That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: *Provided further,* That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: *Provided further,* That such fund shall provide services on a competitive basis: *Provided further,* That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2000 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of Department financial management, ADP, and other support systems: *Provided further,* That such amounts retained in the fund for fiscal year 2000 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: *Provided further,* That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: *Provided further,* That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103–356.

SEC. 209. NEW ENGLAND FISHERY MANAGEMENT COUNCIL. Section 302(a)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(A)) is amended—

(1) by striking ''17'' and inserting ''18''; and

(2) by striking ''11'' and inserting ''12''.

SEC. 210. SENSE OF SENATE WITH RESPECT TO PROMOTING TRAVEL AND TOURISM. (a) FINDINGS.—Congress finds that—

(1) an effective public-private partnership of Federal, State, and local governments and the travel and tourism industry can successfully market the United States as the premiere international tourist destination in the world;

(2) the private sector, States, and cities currently spend more than $1,000,000,000 annually to promote particular destinations within the United States to international visitors;

(3) other nations are spending hundreds of millions of dollars annually to promote the visits of international tourists to their countries, and the United States will miss a major marketing opportunity if it fails to aggressively compete for an increased share of international tourism expenditures as they continue to increase over the next decade;

(4) a well-funded, well-coordinated international marketing effort, combined with additional public and private sector efforts, would help small and large businesses, as well as State and local governments, share

in the anticipated growth of the international travel and tourism market in the 21st century; and

(5) a long-term marketing effort should be supported to promote increased travel to the United States for the benefit of every sector of the economy.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should enact this year, with adequate funding from available resources, legislation that would support international promotional activities by the United States National Tourism Organization to help brand, position, and promote the United States as the premiere travel and tourism destination in the world.

SEC. 211. STUDY OF A GENERAL ELECTRONIC EXTENSION PROGRAM. Not later than 6 months after the enactment of this Act, the Secretary of Commerce shall report to Congress on possible benefits from a general electronic commerce extension program to help small businesses, not limited to manufacturers, in all parts of the Nation identify and adopt electronic commerce technology and techniques, so that such businesses can fully participate in electronic commerce. Such a general extension service would be analogous to the Manufacturing Extension Program managed by the National Institute of Standards and Technology, and the Cooperative Extension Service managed by the Department of Agriculture. The report shall address, at a minimum, the following—

(1) the need for or opportunity presented by such a program;

(2) some of the specific services that such a program should provide and to whom;

(3) how such a program would serve firms in rural or isolated areas;

(4) how such a program should be established, organized, and managed;

(5) the estimated costs of such a program; and

(6) the potential benefits of such a program to both small businesses and the economy as a whole.

SEC. 212. SENSE OF THE SENATE REGARDING THE EUROPEAN COUNCIL NOISE RULE AFFECTING HUSHKITTED AND REENGINED AIRCRAFT. (a) FINDINGS.—The Senate finds that—

(1) for more than 50 years, the International Civil Aviation Organization (ICAO) has been the single entity vested with the authority to establish international noise and emissions standards; through ICAO's efforts, aircraft noise has decreased by an average of 40 percent since 1970;

(2) ICAO is currently working on an expedited basis on even more stringent international noise standards, taking into account economic reasonableness, technical feasibility and environmental benefits;

(3) international noise and emissions standards are critical to maintaining United States aeronautical industries' economic viability and to obtaining their ongoing commitment to progressively more stringent noise reduction efforts;

(4) European Council (EC) Regulation No. 925/1999, banning certain aircraft meeting the highest internationally recognized noise standards from flying in Europe, undermines the integrity of the ICAO process and undercuts the likelihood that new Stage 4 standards can be developed;

(5) while no regional standard is acceptable, this regulation is particularly offensive; there is no scientific basis for the regulation and it has been carefully crafted to protect European aviation interests while imposing arbitrary, substantial and unfounded cost burdens on United States aeronautical industries;

(6) the vast majority of aircraft that will be affected by EC Regulation No. 925/1999 are operated by United States flag carriers; and

(7) the implementation of EC Regulation No. 925/1999 will result in a loss of jobs in the United States and may cost the United States aviation industry in excess of $2,000,000,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) EC Regulation No. 925/1999 should be rescinded by the EC at the earliest possible time;

(2) that if this is not done, the Department of State should file a petition regarding EC Regulation No. 925/1999 with ICAO pursuant to Article 84 of the Chicago Convention; and

(3) the Departments of Commerce and Transportation and the United States Trade Representative should use all reasonable means available to them to ensure that the goal of having the rule repealed is achieved.

This title may be cited as the ''Department of Commerce and Related Agencies Appropriations Act, 2000''.

## TITLE III—THE JUDICIARY

### SUPREME COURT OF THE UNITED STATES

#### SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $35,903,000.

#### CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $9,652,000, of which $6,751,000 shall remain available until expended.

### UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

#### SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $16,911,000.

### UNITED STATES COURT OF INTERNATIONAL TRADE

#### SALARIES AND EXPENSES

For salaries of the chief judge and 8 judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, $11,957,000.

### COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

#### SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $2,892,265,000 (including the purchase of firearms and ammunition); of which not to exceed $19,150,000 shall remain available until expended for space alteration projects; and of which not to exceed $10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, $100,000,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $2,581,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

#### DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act; the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), $353,888,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

#### FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $60,918,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

#### COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $196,026,000, of which not to exceed $10,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

### ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

#### SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $56,054,000, of which not to exceed $10,000 is authorized for official reception and representation expenses.

### FEDERAL JUDICIAL CENTER

#### SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law

90–219, $18,476,000; of which $1,800,000 shall remain available through September 30, 2001, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $29,500,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $8,000,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $2,200,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $9,743,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 20 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $12,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Pursuant to section 140 of Public Law 97–92, Justices and judges of the United States are authorized during fiscal year 2000, to receive a salary adjustment in accordance with 28 U.S.C. 461: *Provided*, That $9,611,000 is appropriated for salary adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in title III of this Act.

SEC. 305. Notwithstanding any other provision of law, in addition to funds appropriated elsewhere in this title, $2,700,000 is appropriated to the ''Courts of Appeals, District Courts, and Other Judicial Services'' and is provided for the Institute at Saint Anselm College and the New Hampshire State Library.

SEC. 306. Section 604(a)(5) of title 28, United States Code, is amended by adding before the semicolon at the end thereof the following: '', and, notwithstanding any other provision of law, pay on behalf of justices and judges of the United States appointed to hold office during good behavior, aged 65 or over, any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999, including any expenses generated by such payments, as authorized by the Judicial Conference of the United States''.

SEC. 307. PLACE OF HOLDING COURT AT CENTRAL ISLIP, NEW YORK. The second paragraph of section 112(c) of title 28, United States Code, is amended to read ''Court for the Eastern District shall be held at Brooklyn, Hauppauge, Hempstead (including the village of Uniondale), and Central Islip.''.

SEC. 308. WEST VIRGINIA CLERK CONSOLIDATION APPROVAL. Pursuant to the requirements of section 156(d) of title 28, United States Code, Congress hereby approves the consolidation of the Office of the Bankruptcy Clerk with the Office of the District Clerk of Court in the Southern District of West Virginia.

SEC. 309. SENIOR JUDGE'S CHAMBERS IN PROVO, UTAH. The Internal Revenue Service is directed to vacate sufficient space in the Federal Building in Provo, Utah as soon as practicable to provide space for a senior judge's chambers in that building. The General Services Administration is directed to provide interim space for a senior judge's chambers in Provo, Utah and to complete a permanent senior judge's chambers in the Federal Building located in that city as soon as practicable.

SEC. 310. (a) IN GENERAL.—Section 3006A(d)(4)(D)(vi) of title 18, United States Code, is amended by adding after the word ''require'' the following: '', except that the amount of the fees shall not be considered a reason justifying any limited disclosure under section 3006A(d)(4) of title 18, United States Code''.

(b) EFFECTIVE DATE.—This section shall apply to all disclosures made under section 3006A(d) of title 18, United States Code, related to any criminal trial or appeal involving a sentence of death where the underlying alleged criminal conduct took place on or after April 19, 1995.

This title may be cited as ''The Judiciary Appropriations Act, 2000''.

## TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended, the Mutual Educational and Cultural Exchange Act of 1961, as amended, and the United States Information and Educational Exchange Act of 1948, as amended, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of such Act of 1948; expenses authorized by section 9 of the Act of August 31, 1964, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; arms control, nonproliferation, and disarmament activities as authorized by the Arms Control and Disarmament Act of September 26, 1961, as amended; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $2,671,429,000: *Provided*, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the ''Emergencies in the Diplomatic and Consular Service'' appropriations account, to be available only for emergency evacuations and terrorism rewards: *Provided further*, That of the amount made available under this heading, $299,480,000 shall be available only for worldwide security upgrades: *Provided further*, That of the amount made available under this heading, $500,000 shall be available only for the National Law Center for Inter-American Free Trade: *Provided further*, That of the amount made available under this heading, $5,000,000 shall be available only for overseas continuing language education: *Provided further*, That of the amount made available under this heading, $13,500,000 shall be available only for the East-West Center: *Provided further*, That of the amount made available under this heading, $6,000,000 shall be available only for overseas representation expenses: *Provided further*, That of the amount made available under this heading, not to exceed $125,000 shall be available only for the Maui Pacific Center: *Provided further*, That no employee of the Department of State shall be detailed to another agency, organization, or institution on a reimbursable or non-reimbursable basis for a total of more than 2 years during any 5-year period, unless the Secretary of State determines that a detail for a period more than a total of 2 years during any 5 year period would further the interests of the Department of State: *Provided further*, That not later than 3 months after the date of enactment of this Act, each employee of the Department of State who has served on detail to another agency, organization, or institution for a total of more than 2 years during the 5-year period preceding the date of enactment of this Act shall terminate the detail, unless the Secretary of State determines that the extension of the detail would further the interests of the Department of State: *Provided further*, That notwithstanding section 140(a)(5), and the second sentence of section 140(a)(3), of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, fees may be collected during fiscal year 2000 and each fiscal year thereafter, under the authority of section 140(a)(1) of that Act: *Provided further*, That all fees collected under the preceding proviso shall be deposited as an offsetting collection to appropriations made under this heading to recover costs as set forth under section 140(a)(2) of that Act and shall remain available until expended: *Provided further*, That of the amount made available under this heading for the Bureau of Oceans and International Environment and Scientific Affairs, $5,000,000 is appropriated for a Northern Boundary and Transboundary Rivers Restoration Fund: *Provided further*, That of the amount made available under this heading, not less than $11,000,000 shall be available for the Office of Defense Trade Controls.

In addition, not to exceed $1,252,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, as amended; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, and publication programs, and from fees from educational advising and counseling, and exchange visitor program services as authorized by section 810 of such Act of 1948; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $80,000,000, to remain available until expended, as authorized in Public

Law 103–236: *Provided*, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), $26,495,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), as amended, $216,476,000, to remain available until expended as authorized by section 105 of such Act of 1961 (22 U.S.C. 2455): *Provided*, That not to exceed $800,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching and publication programs as authorized by section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e) and, notwithstanding any other provision of law, fees from educational advising and counseling: *Provided further*, That, of the amount appropriated under this heading for the Fulbright program, such sums as may be available may be used for the Tibetan Exchange Program.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $30,000,000, to remain available until expended: *Provided*, That, in lieu of the dollar amount specified under the heading ''CAPITAL INVESTMENT FUND'' in this Act, the dollar amount under that heading shall be considered to be $50,000,000.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), $5,850,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, $8,100,000, to remain available until September 30, 2000.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), preserving, maintaining, repairing, and planning for, buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Main State Building, and carrying out the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), $583,496,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), and as authorized by section 804(3) of the United States Information and Educational Exchange Act of 1948, as amended, $7,000,000 to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $593,000, as authorized by section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8, $16,000,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $128,541,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress, $943,308,000, of which not to exceed $107,000,000 shall remain available until expended for payment of arrearages: *Provided*, That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a separate Act that makes payment of arrearages contingent upon United Nations reforms: *Provided further*, That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $280,925,000, of which not to exceed $28,093,000 shall remain available until September 30, 2001, and of which not to exceed $137,000,000 shall remain available until expended for payment of arrearages: *Provided*, That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a separate Act that makes payment of arrearages contingent upon United Nations reforms: *Provided further*, That any additional amount provided, not to exceed $107,000,000, which is owed by the United Nations to the United States as a reimbursement, including any reimbursement under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945, that was owed to the United States before the date of enactment of this Act shall be applied or used, without fiscal year limitation, to reduce any amount owed by the United States to the United Nations, except that any such reduction pursuant to the authority in this paragraph shall not be made unless expressly authorized by the enactment of a separate Act that makes payment of arrearages contingent upon United Nations reform: *Provided further*, That the funds provided under this heading (other than funds provided to pay arrearages) shall be disbursed in the manner described in the following table:

| *Mission* | *Amount* |
|---|---|
| UN Disengagement Observer Force | $8,900,000 |
| UN Interim Force in Lebanon | 34,000,000 |
| UN Iraq/Kuwait Observer Mission | 4,500,000 |
| UN Mission in Bosnia and Herzegovina/UN Mission of Observers in Prevlaka | 50,000,000 |
| UN Force in Cyprus | 6,500,000 |
| UN Observer Mission in Georgia | 5,500,000 |
| UN Mission of Observers to Tajikistan | 7,000,000 |
| UN Observer Mission in Sierra Leone | 8,500,000 |
| War Crimes Tribunal—Yugoslavia and Rwanda | 15,525,000 |
| UN Observer Mission to East Timor | 3,500,000 |

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $19,551,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,939,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $5,733,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $15,549,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324: *Provided further*, That of the amounts made available for the Inter-American Tropical Tuna Commission in fiscal year 2000, not

more than $2,350,000 may be obligated and expended: *Provided further*, That no tuna may be imported in any year from any High Contracting Party to the Convention establishing the Commission (TIAS 2044; 1 UST 231) unless the Party has paid a share of the joint expenses of the Commission proportionate to the share of the total catch from the previous year from the fisheries covered by the Convention which is utilized by that Party.

OTHER

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2000, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, fiscal years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2000, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960 (22 U.S.C. 2054–2057), by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $12,500,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, as amended, and the Foreign Affairs Reform and Restructuring Act of 1998, to carry out international communication activities, $362,365,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not to exceed $35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For expenses necessary to enable the Broadcasting Board of Governors to carry out the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, and the International Broadcasting Act of 1994, and the Foreign Affairs Reform and Restructuring Act of 1998, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, $23,664,000, to remain available until expended: *Provided*, That funds may be used to purchase or lease, maintain, and operate such aircraft (including aerostats) as may be required to house and operate necessary television broadcasting equipment.

RADIO CONSTRUCTION

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471), $13,245,000, to remain available until expended, as authorized by section 704(a) of such Act of 1948 (22 U.S.C. 1477b(a)).

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 20 percent by any such transfers: *Provided*, That not to exceed 10 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 20 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. The Secretary of State is authorized to administer summer travel and work programs without regard to preplacement requirements.

SEC. 404. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 405. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2000 or any fiscal year thereafter should be obligated or expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

SEC. 406. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2000 or any fiscal year thereafter may be obligated or expended for the publication of any official Government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

SEC. 407. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 408. None of the funds appropriated or otherwise made available in this Act for the United Nations may be used by the United Nations for the promulgation or enforcement of any treaty, resolution, or regulation authorizing the United Nations, or any of its specialized agencies or affiliated organizations, to tax any aspect of the Internet.

SEC. 409. EXTENSION OF TEMPORARY PROTECTED STATUS FOR CERTAIN NATIONALS OF LIBERIA. (a) CONTINUATION OF STATUS.—Notwithstanding any other provision of law, any alien described in subsection (b) who, as of the date of enactment of this Act, is registered for temporary protected status in the United States under section 244(c)(1)(A)(iv) of the Immigration and Nationality Act (8 U.S.C. 1254a(c)(1)(A)(iv)), or any predecessor law, order, or regulation, shall be entitled to maintain that status through September 30, 2000.

(b) COVERED ALIENS.—An alien referred to in subsection (a) is a national of Liberia or an alien who has no nationality and who last habitually resided in Liberia.

SEC. 410. NOTIFICATION OF INTENT TO SELL CERTAIN UNITED STATES PROPERTIES. Consistent with the regular notification procedures established pursuant to section 34 of the State Department Basic Authorities Act of 1956, the Secretary of State shall notify in writing the Committees on Foreign Relations and Appropriations in the Senate and the Committees on International Relations and Appropriations in the House of Representatives sixty days in advance of any action taken by the Department to enter into any contract for the final sale of properties owned by the United States that have served as United States Embassies, Consulates General, or residences for United States Ambassadors, Chiefs of Missions, or Consuls General.

This title may be cited as the ''Department of State and Related Agencies Appropriations Act, 2000''.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $72,664,000.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, $11,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which

is to be guaranteed, not to exceed $1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $3,893,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

CENSUS MONITORING BOARD

For necessary expenses of the Census Monitoring Board, as authorized by section 210 of Public Law 105–119, $4,000,000, to remain available until expended.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $490,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $8,900,000: *Provided*, That not to exceed $50,000 may be used to employ consultants: *Provided further*, That none of the funds appropriated in this paragraph shall be used to employ in excess of 4 full-time individuals under Schedule C of the Excepted Service exclusive of 1 special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson who is permitted 125 billable days.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,250,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $29,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $279,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–02; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $232,805,000, of which not to exceed $300,000 shall remain available until September 30, 2001, for research and policy studies: *Provided*, That $185,754,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at $47,051,000: *Provided further*, That any offsetting collections received in excess of $185,754,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

Notwithstanding any other provision of law, the Federal Communications Commission is authorized to operate, maintain, and repair its headquarters building, and may negotiate with the lessor or place orders for alterations or building services.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–02, $14,150,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $114,059,000: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further*, That, notwithstanding any other provision of law, not to exceed $114,059,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at not more than $0, to remain available until expended: *Provided further*, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242, 105 Stat. 2282–2285).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $300,000,000, of which $289,000,000 is for basic field programs and required independent audits; $2,100,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; and $8,900,000 is for management and administration: *Provided further*, That any unobligated balances remaining available at the end of the fiscal year may be reallocated among participating programs for technology enhancements and demonstration projects in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, and 504 of Public Law 105–119 (111 Stat. 2510), and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 of the law to 1997 and 1998 shall be deemed to refer instead to 1999 and 2000, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,300,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $0; and, in addition, to remain available until expended, from fees collected in fiscal year 1998, $130,800,000, and from fees collected in fiscal year 2000, $240,000,000; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such

consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsetting collections: *Provided further*, That the Commission shall conduct a study on the effects of electronic communications networks and extended trading hours on securities markets, including effects on market volatility, market liquidity, and best execution practices.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 103–403, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $246,300,000: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: *Provided further*, That $87,000,000 shall be available to fund grants for performance in fiscal year 2000 or fiscal year 2001 as authorized by section 21 of the Small Business Act, as amended: *Provided further*, That $1,800,000 shall be made available to carry out the drug-free workplace demonstration program under section 27 of the Small Business Act (15 U.S.C. 654): *Provided further*, That $23,200,000 shall be available to fund grants for Microloan Technical Assistance as authorized by section 7(m) of the Small Business Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), $13,250,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $4,000,000, to be available until expended; and for the cost of guaranteed loans, $164,368,000, as authorized by 15 U.S.C. 631 note, of which $45,000,000 shall remain available until September 30, 2001: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2000, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of financings authorized under section 20(e)(1)(B)(ii) of the Small Business Act, as amended: *Provided further*, That during fiscal year 2000, commitments for general business loans authorized under section 7(a) of the Small Business Act, as amended, shall not exceed $10,500,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: *Provided further*, That during fiscal year 2000, debentures guaranteed under title III of the Small Business Investment Act of 1958, as amended, shall not exceed the amount authorized under section 20(e)(1)(C)(ii).

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $129,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $77,700,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct loan program, $86,000,000, which may be transferred to and merged with appropriations for Salaries and Expenses, including $500,000 for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program, and said sums shall be transferred to and merged with appropriations for the Office of Inspector General.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 20 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572 (106 Stat. 4515–4516)), $6,850,000, to remain available until expended: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 20 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 20 percent funding for any existing program, project, or activity, or numbers of personnel by 20 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2000.

SEC. 610. Notwithstanding any other provision of law, not more than 20 percent of the amount allocated to any account or subaccount from an appropriation made by this Act that is available for obligation only in the current fiscal year may be obligated during the last two months of the fiscal year.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 613. None of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

SEC. 614. Of the funds appropriated in this Act under the heading ''Office of Justice Programs—State and Local Law Enforcement Assistance'', not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) Subsection (a)(1) of section 616 of that Act is amended—

(1) by striking ''and'' after ''Gonzalez''; and

(2) by inserting before the semicolon at the end of the following, '', Jean-Yvon Toussaint, and Jimmy Lalanne''.

(c) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2000.

SEC. 616. None of the funds appropriated pursuant to this Act or any other provision of law may be used for (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the immediate destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be used to pay to house any individual, other than an attorney, attending a Federal law enforcement training center in a privately owned or operated place of lodging.

SEC. 618. Section 309(j)(8) of the Communications Act of 1934 is amended by adding new paragraph (D) as follows:

''(D) PROTECTION OF INTERESTS.—

''(i) Title 11, United States Code, or any otherwise applicable Federal or state law regarding insolvencies or receiverships, or any succeeding Federal law not expressly in derogation of this subsection, shall not apply to or be construed to apply to the Commission or limit the rights, powers, or duties of the Commission with respect to (a) a license or permit issued by the Commission under this subsection or a payment made to or a debt or other obligation owed to the Commission relating to or rising from such a license or permit, (b) an interest of the Commission in property securing such a debt or other obligation, or (c) an act by the Commission to issue, deny, cancel, or transfer control of such a license or permit.

''(ii) Notwithstanding otherwise applicable law, for each license or construction permit issued by the Commission under this subsection for which a debt or other monetary obligation is owed to the Federal Communications Commission or to the United States, the Commission shall be deemed to have a perfected, first priority security interest in such license or permit, and in the proceeds of sale of such license or permit, to the extent of the outstanding balance of such a debt or other obligation.

''(iii) This paragraph shall apply retroactively, including to pending cases and proceedings whether on appeal or otherwise.''.

SEC. 619. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be provided for or used by the National Security Council or personnel working for or detailed to the Council.

SEC. 620. (a) DEFINITIONS.—For the purposes of this section—

(1) the term ''agency'' means the Federal Communications Commission.

(2) the term ''employee'' means an employee (as defined by section 2105 of title 5, United States Code) who is serving under an appointment without time limitation, and has been currently employed by such agency for a continuous period of at least 3 years; but does not include—

(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government;

(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government;

(C) an employee who has been duly notified that he or she is to be involuntarily separated for misconduct or unacceptable performance;

(D) an employee who has previously received any voluntary separation incentive payment from the Federal Government under this section or any other authority;

(E) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(F) any employee who, during the 24-month period preceding the date of separation, has received a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the 12-month period preceding the date of separation, received a retention allowance under section 5754 of that title.

(3) The term ''Chairman'' means the Chairman of the Federal Communications Commission.

(b) AGENCY PLAN.—

(1) IN GENERAL.—The Chairman, prior to obligating any resources for voluntary separation incentive payments, shall simultaneously submit to the authorizing and appropriating committees of the House and the Senate and to the Office of Management and Budget a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(2) CONTENTS.—The agency's plan shall include—

(A) the positions and functions to be reduced, eliminated, and increased, as appropriate, identified by organizational unit, geographic location, occupational category and grade level;

(B) the time period during which incentives may be paid;

(C) the number and amounts of voluntary separation incentive payments to be offered; and

(D) a description of how the agency will operate without the eliminated positions and functions and with any increased or changed occupational skill mix.

(3) CONSULTATION.—The Director of the Office of Management and Budget shall review the agency's plan and may make appropriate recommendations for the plan with respect to the coverage of incentives as described under paragraph (2)(A), and with respect to the matters described in paragraph (2) (B) and (C). Any such recommendations shall be submitted simultaneously to the authorizing and appropriating committees of the House and the Senate. The Chairman shall not implement the agency plan without prior written notification to the chairman of each authorizing and appropriating committees of the House and the Senate at least fifteen days in advance of such implementation.

(c) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) IN GENERAL.—A voluntary separation incentive payment under this section may be paid by the Chairman to any employee only to the extent necessary to eliminate the positions and functions identified by the strategic plan.

(2) AMOUNT AND TREATMENT OF PAYMENTS.—A voluntary incentive payment—

(A) shall be paid in a lump sum, after the employee's separation;

(B) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code (without adjustment for any previous payments made); or

(ii) an amount determined by the Chairman, not to exceed $25,000;

(C) may not be made except in the case of any qualifying employee who voluntarily separates (whether by retirement or resignation) under the provisions of this section by not later than September 30, 2001;

(D) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

(E) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation.

(d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final base pay of each employee of the agency who is covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this Act.

(2) DEFINITION.—For the purpose of paragraph (1), the term ''final basic pay'', with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—(1) An individual who has received a voluntary separation incentive payment from the agency under this section and accepts any employment for compensation with the Government of the United States, or who works for any agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the lump sum incentive payment to the agency.

(2) If the employment under paragraph (1) is with an executive agency (as defined by section 105 of title 5, United States Code), the United States Postal Service, or the Postal Rate Commission, the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(3) If the employment under paragraph (1) is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(4) If the employment under paragraph (1) is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant for the position.

(f) INTENDED EFFECT ON AGENCY EMPLOYMENT LEVELS.—

(1) IN GENERAL.—Voluntary separations under this section are not intended to necessarily reduce the total number of full-time equivalent positions in the Federal Communications Commission. The agency may redeploy or use the full-time equivalent positions vacated by voluntary separations under this section to make other positions available to more critical locations or more critical occupations.

(2) ENFORCEMENT.—The president, through the Office of Management and Budget, shall monitor the agency and take any action necessary to ensure that the requirements of this subsection are met.

(g) REGULATIONS.—The Office of Personnel Management may prescribe such regulations as may be necessary to implement this section.

(h) EFFECTIVE DATE.—This section shall take effect on the date of enactment. (Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1999, as included in Public Law 105–277, section 101(b).)

SEC. 621. The Secretary of Commerce (hereinafter the ''Secretary'') is hereby authorized and directed to create an ''Interagency Task Force on Indian Arts and Crafts Enforcement'' to be composed of representatives of the United States Trade Representative, the Department of Commerce, the Department of the Interior, the Department of Justice, the Department of the Treasury, the International Trade Administration, and representatives of other agencies and departments in the discretion of the Secretary to devise and implement a coordinated enforcement response to prevent the sale or distribution of any product or goods sold in or shipped to the United States that is not in compliance with the Indian Arts and Crafts Act of 1935, as amended.

SEC. 622 (a) FINDINGS.—The Senate makes the following findings:

(1) When telephone area codes were first introduced in 1947, 86 area codes covered all of North America. There are now more than 215 area codes, and an additional 70 area codes may be required in the next 2 years.

(2) The current system for allocating numbers to telecommunications carriers is woefully inefficient, leading to the exhaustion of a telephone area code long before all the telephone numbers covered by the area code are actually in use.

(3) The proliferation of new telephone area codes causes economic dislocation for businesses and unnecessary cost, confusion, and inconvenience for households.

(4) Principles and approaches exist that would increase the efficiency with which telecommunications carriers use telephone numbering resources.

(5) The May 27, 1999, rulemaking proceeding of the Federal Communications Commission relating to numbering resource optimization seeks to address the growing problem of the exhaustion of telephone area codes.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Federal Communications Commission shall release its report and order on numbering resource optimization not later than December 31, 1999;

(2) such report and order should minimize any disruptions and costs to consumers and businesses associated with the implementation of such report and order; and

(3) such report and order should apply not only to large metropolitan areas but to all areas of the United States that are facing the problem of exhaustion of telephone numbers.

SEC. 623. PROHIBITION ON REQUIREMENT FOR USE OF ACCOUNTING METHOD NOT CONFORMING TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. No part of any appropriations contained in this Act shall be used by the Federal Communications Commission to require any person subject to its jurisdiction under the Communications Act of 1934, as amended (47 U.S.C. 151 et seq.) to utilize for any purpose any form or method of accounting that does not conform to Generally Accepted Accounting Principles established by the Financial Accounting Standards Board.

SEC. 624. (a) The total discretionary amount made available by this Act is reduced by $92,000,000: *Provided*, That the reduction pursuant to this subsection shall be taken pro rata from travel, supplies, and printing expenses made available to the agencies funded by this Act, except for activities related to the 2000 census.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsection (a).

SEC. 625. PROHIBITION OF TRANSFER OF A FIREARM TO AN INTOXICATED PERSON. (a) PROHIBITION OF TRANSFER.—Section 922(d) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) is intoxicated;''.

(b) DEFINITION OF INTOXICATED.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(35) The term 'intoxicated', in reference to a person, means being in a mental or physical condition of impairment as a result of the presence of alcohol in the body of the person.''.

SEC. 626. (a) To implement the June 3, 1999 Agreement of the United States and Canada on the Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon (the ''1999 Agreement'') $140,000,000 is authorized only for use and expenditure as described in subsection (b).

(b)(1) $75,000,000 for grants to provide the initial capital for a Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund to be held by the Pacific Salmon Commission and administered jointly by the Pacific Salmon Commission Commissioner for the State of Alaska with Canada according to a trust agreement to be entered into by the United States and Canada for the purposes of research, habitat restoration, and fish enhancement to promote abundance-based, conservation-oriented fishing regimes.

(2) $65,000,000 for grants to provide the initial capital for a Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund to be held by the Pacific Salmon Commission and administered jointly with Canada by the Pacific Salmon Commission Commissioners for the States of Washington, Oregon, and California according to a trust agreement to be entered into by the United States and Canada for the purposes of research, habitat restoration, and fish enhancement to promote abundance-based, conservation-oriented fishing regimes.

(3)(i) Amounts provided by grants under paragraphs (1) and (2) may be held in interest-bearing accounts prior to the disbursement of such funds for program purposes, and any interest earned may be retained for program purposes without further appropriation by Congress;

(ii) the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund are subject to the laws governing Federal appropriations and funds and to unrescinded circulars of the Office of Management and Budget, including the audit requirements of the Office of Management and Budget Circular Nos. A–110, A–122 and A–133; and

(iii) Recipients of funds from the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund and Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund, which for the purposes of this subparagraph shall include interest earned pursuant to subparagraph (i), shall keep separate accounts and such records as may be reasonably necessary to disclose the use of the funds as well as facilitate effective audits.

(c) The President shall submit a request for funds to implement this section as part

of his official budget request for the fiscal year 2001.

SEC. 627. Funds made available under Public Law 105–277 for costs associated with implementation of the American Fisheries Act of 1998 (Division C, title II, of Public Law 105–277) for vessel documentation activities shall remain available until expended.

SEC. 628. (a) FINDINGS.—The Senate makes the following findings:

(1) Iran has been designated as a state sponsor of terrorism by the Secretary of State and continues to be among the most active supporters of terrorism in the world.

(2) According to the State Department's annual report entitled ''Patterns of Global Terrorism'', Iran supports Hizballah, Hamas, and the Palestinian Islamic Jihad, terrorist organizations which oppose the Middle East peace process, continue to work for the destruction of Israel, and have killed United States citizens.

(3) A United States district court ruled in March 1998 that Iran should pay $247,000,000 to the family of Alisa Flatow, a United States citizen killed in a bomb attack orchestrated by the Palestinian Islamic Jihad in Gaza in April 1995.

(4) The Government of Iran continues to maintain a repressive political regime in which the civil liberties of the people of Iran are denied.

(5) The State Department Country Report on Human Rights states that the human rights record of the Government of Iran remains poor, including ''extra judicial killings and summary executions; disappearances; widespread use of torture and other degrading treatment; harsh prison conditions; arbitrary arrest and detention; lack of due process; unfair trials; infringement on citizen's privacy; and restrictions on freedom of speech, press, assembly, association, religion, and movement''.

(6) Religious minorities in Iran have been persecuted solely because of their faith, and the Government of Iran has detained 13 members of Iran's Jewish community without charge.

(7) Recent student-led protests in Iran were repressed by force, with possibly five students losing their lives and hundreds more being imprisoned.

(8) The Government of Iran is pursuing an aggressive ballistic missile program with foreign assistance and is seeking to develop weapons of mass destruction which threaten United States allies and interests.

(9) Despite the continuation by the Government of Iran of repressive activities in Iran and efforts to threaten United States allies and interests in the Near East and South Asia, the President waived provisions of the Iran and Libya Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) intended to impede development of the energy sector in Iran.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the President should condemn in the strongest possible terms the failure of the Government of Iran to implement genuine political reforms and protect the civil liberties of the people of Iran, which failure was most recently demonstrated in the violent repression of student-led protests in Teheran and other cities by the Government of Iran;

(2) the President should support democratic opposition groups in Iran more aggressively;

(3) the detention of 13 members of the Iranian Jewish community by the Government of Iran is a deplorable violation of due process and a clear example of the policies of the Government of Iran to persecute religious minorities; and

(4) the decision of the President to waive provisions of the Iran and Libya Sanctions Act of 1996 intended to impede development of the energy sector in Iran was regrettable and should be reversed as long as Iran continues to threaten United States interests and allies in the Near East and South Asia through state sponsorship of terrorism and efforts to acquire weapons of mass destruction and the missiles to deliver such weapons.

SEC. 629. Section 203(p)(1)(B) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)(B)) is amended—

(1) by striking clause (ii);

(2) by inserting ''or public safety'' after ''law enforcement'';

(3) by striking ''(i)'';

(4) by striking ''(I)'' and inserting ''(i)''; and

(5) by striking ''(II)'' and inserting ''(ii)''.

SEC. 630. PROTECTION OF SENIORS AND THE DISABLED IN FEDERAL FAMILY VIOLENCE PREVENTION PROGRAMS. (a) FINDINGS.—Congress finds that—

(1) of the estimated more than 1,000,000 persons age 65 and over who are victims of family violence each year, at least ⅔ are women;

(2) national statistics are not available on the incidence of domestic or family violence and sexual assault against disabled women, although several studies indicate that abuse of disabled women is of a longer duration compared to abuse suffered by women who are not disabled;

(3) in almost 9 out of 10 incidents of domestic elder abuse and neglect, the perpetrator is a family member, and adult children of the victims are the largest category of perpetrators and spouses are the second largest category of perpetrators;

(4) the number of reports of elder abuse in the United States increased by 150 percent between 1986 and 1996 and is expected to continue increasing;

(5) it is estimated that at least 5 percent of the Nation's elderly are victims of moderate to severe abuse and that the rate for all forms of abuse may be as high as 10 percent;

(6) elder abuse is severely underreported, with 1 in 5 cases being reported in 1980 and only 1 in 8 cases being reported today;

(7) many older and disabled women fail to report abuse because of shame or as a result of prior unsatisfactory experiences with individual agencies or others who lack sensitivity to the concerns or needs of older or disabled individuals;

(8) many older or disabled individuals also fail to report abuse because they are dependent on their abusers and fear being abandoned or institutionalized;

(9) disabled women may fear reporting abuse because they are fearful of losing their children in a custody case;

(10) public and professional awareness and identification of violence against older or disabled Americans may be difficult because these persons are not integrated into many social networks (such as schools or jobs), and may become isolated in their homes, which can increase the risk of domestic abuse; and

(11) older and disabled Americans would greatly benefit from policies that develop, strengthen, and implement programs for the prevention of abuse, including neglect and exploitation, and provide related assistance for victims.

(b) IN GENERAL.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) in section 2001 (42 U.S.C. 3796gg)—

(A) in subsection (a)—

(i) by inserting '', including older women and women with a disability'' after ''combat violent crimes against women''; and

(ii) by inserting '', including older women and women with a disability'' before the period; and

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by inserting '', including older women and women with a disability'' after ''against women'';

(ii) in paragraph (6), by striking ''and'' after the semicolon;

(iii) in paragraph (7), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(8) developing a curriculum to train and assist law enforcement officers, prosecutors, and relevant officers of the Federal, State, tribal, and local courts in identifying and responding to crimes of domestic violence and sexual assault against older individuals and individuals with a disability and implementing that training and assistance.'';

(2) in section 2002(c)(2) (42 U.S.C. 3796gg–1) by inserting ''and service programs tailored to the needs of older and disabled victims of domestic violence and sexual assault'' before the semicolon; and

(3) in section 2003 (42 U.S.C. 3796gg–2)—

(A) in paragraph (7), by striking ''and'' after the semicolon;

(B) in paragraph (8), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(9) both the term 'elder' and the term 'older individual' have the meaning given the term 'older individual' in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002); and

''(10) the term 'disability' has the meaning given the term in section 3(3) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(3)).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any grant made beginning with fiscal year 2000.

## TITLE VII—RESCISSIONS

### DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $22,577,000 are rescinded.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $5,500,000 are rescinded.

DRUG ENFORCEMENT ADMINISTRATION

DRUG DIVERSION CONTROL FEE ACCOUNT

(RESCISSION)

Amounts otherwise available for obligation in fiscal year 2000 for the Drug Diversion Control Fee Account are reduced by $35,000,000.

### DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(RESCISSION)

Of the funds provided under the heading, ''Operations, Research, and Facilities'' in the Dire Emergency Supplemental Appropriations Act, 1992 (Public Law 102–368), $3,400,000 are rescinded.

### DEPARTMENT OF STATE AND RELATED AGENCIES

### DEPARTMENT OF STATE

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

(RESCISSION)

Of the unobligated balances available under this heading, $58,436,000 are rescinded.

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

(RESCISSION)

Of the unobligated balances available under this heading, $18,780,000 are rescinded.

TITLE VIII—CHILDREN WHO WITNESS DOMESTIC VIOLENCE PROTECTION ACT

SEC. 801. SHORT TITLE. This title may be cited as the ''Children Who Witness Domestic Violence Protection Act''.

SEC. 802. FINDINGS. Congress finds the following:

(1) Witnessing domestic violence has a devastating impact on children, placing the children at high risk for anxiety, depression, and, potentially, suicide. Many children who witness domestic violence exhibit more aggressive, antisocial, fearful, and inhibited behaviors.

(2) Children exposed to domestic violence have a high risk of experiencing learning difficulties and school failure. Research finds that children residing in domestic violence shelters exhibit significantly lower verbal and quantitative skills when compared to a national sample of children.

(3) Domestic violence is strongly correlated with child abuse. Studies have found that between 50 and 70 percent of men who abuse their female partners also abuse their children. In homes in which domestic violence occurs, children are physically abused and neglected at a rate 15 times higher than the national average.

(4) Men who witnessed parental abuse during their childhood have a higher risk of becoming physically aggressive in dating and marital relationships.

(5) Exposure to domestic violence is a strong predictor of violent delinquent behavior among adolescents. It is estimated that between 20 percent and 40 percent of chronically violent adolescents have witnessed extreme parental conflict.

(6) Women have an increased risk of experiencing battering after separation from an abusive partner. Children also have an increased risk of suffering harm during separation.

(7) Child visitation disputes are more frequent when families have histories of domestic violence, and the need for supervised visitation centers far exceeds the number of available programs providing those centers, because courts therefore—

(A) order unsupervised visitation and endanger parents and children; or

(B) prohibit visitation altogether.

(8) Recent studies have demonstrated that up to 50 percent of children who appear before juvenile courts in matters involving allegations of abuse and neglect have been exposed to domestic violence in their homes.

SEC. 803. DEFINITIONS. In this title:

(1) DOMESTIC VIOLENCE.—The term ''domestic violence'' includes an act or threat of violence, not including an act of self defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction of the victim, or by any other person against a victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction.

(2) INDIAN TRIBAL GOVERNMENT.—The term ''Indian tribal government'' has the meaning given the term ''tribal organization'' in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(3) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(4) WITNESS DOMESTIC VIOLENCE.—

(A) IN GENERAL.—The term ''witness domestic violence'' means to witness—

(i) an act of domestic violence that constitutes actual or attempted physical assault; or

(ii) a threat or other action that places the victim in fear of domestic violence.

(B) WITNESS.—In subparagraph (A), the term ''witness'' means to—

(i) directly observe an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action; or

(ii) be within earshot of an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action.

SEC. 804. GRANTS TO ADDRESS THE NEEDS OF CHILDREN WHO WITNESS DOMESTIC VIOLENCE. (a) IN GENERAL.—The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

**''SEC. 319. MULTISYSTEM INTERVENTIONS FOR CHILDREN WHO WITNESS DOMESTIC VIOLENCE.**

''(a) GRANTS AUTHORIZED.—

''(1) AUTHORITY.—The Secretary, acting through the Director of Community Services, in the Administration for Children and Families, is authorized to award grants to eligible entities to conduct programs to encourage the use of domestic violence intervention models using multisystem partnerships to address the needs of children who witness domestic violence.

''(2) TERM AND AMOUNT.—Each grant awarded under this section shall be awarded for a term of 3 years and in an amount of not more than $500,000 for each such year.

''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall—

''(A) be a nonprofit private organization;

''(B)(i) demonstrate recognized expertise in the area of domestic violence and the impact of domestic violence on children; or

''(ii) enter into a memorandum of understanding regarding the intervention program that—

''(I) is entered into with the State or tribal domestic violence coalition and entities carrying out domestic violence programs that provide shelter or related assistance in the locality in which the intervention program will be operated; and

''(II) demonstrates collaboration on the intervention program with the coalition and entities and the support of the coalition and entities for the intervention program; and

''(C) demonstrate a history of providing advocacy, health care, mental health, or other crisis-related services to children.

''(b) USE OF FUNDS.—An entity that receives a grant under this section shall use amounts provided through the grant to conduct a program to design or replicate, and implement, domestic violence intervention models that use multisystem partners to respond to the needs of children who witness domestic violence. Such a program shall—

''(1)(A) involve collaborative partnerships with—

''(i) local entities carrying out domestic violence programs that provide shelter or related assistance; and

''(ii) partners that are courts, schools, social service providers, health care providers, police, early childhood agencies, entities carrying out Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.), or entities carrying out child protection, welfare, job training, housing, battered women's service, or children's mental health programs; and

''(B) be carried out to design and implement protocols and systems to identify, refer, and appropriately respond to the needs of, children who witness domestic violence and who participate in programs administered by the partners;

''(2) include guidelines to evaluate the needs of a child and make appropriate intervention recommendations;

''(3) include institutionalized procedures to enhance or ensure the safety and security of a battered parent, and as a result, the child of the parent;

''(4) provide direct counseling and advocacy for adult victims of domestic violence and their children who witness domestic violence;

''(5) include the development or replication of a mental health treatment model to meet the needs of children for whom such treatment has been identified as appropriate;

''(6) include policies and protocols for maintaining the confidentiality of the battered parent and child;

''(7) provide community outreach and training to enhance the capacity of professionals who work with children to appropriately identify and respond to the needs of children who witness domestic violence;

''(8) include procedures for documenting interventions used for each child and family; and

''(9) include plans to perform a systematic outcome evaluation to evaluate the effectiveness of the interventions.

''(c) APPLICATION.—To be eligible to receive a grant under this section, an entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(d) TECHNICAL ASSISTANCE.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing multisystem and mental health interventions to address the needs of children who witness domestic violence. Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into an agreement with 1 or more entities carrying out the identified programs to provide technical assistance to the applicants and recipients of the grants. The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (e) to provide the technical assistance.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 through 2002.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

''(f) DEFINITIONS.—In this section, the terms 'domestic violence' and 'witness domestic violence' have the meanings given the terms in section 803 of the Children Who Witness Domestic Violence Protection Act.''.

(b) ADMINISTRATION.—Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking ''an employee'' and inserting ''1 or more employees''; and

(2) by striking ''The individual'' and inserting ''Each individual''.

SEC. 805. COMBATTING THE IMPACT OF EXPERIENCING OR WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN. (a) AMENDMENT.—Subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131 et seq.) is amended by adding at the end the following:

**''SEC. 4124. GRANTS TO COMBAT THE IMPACT OF EXPERIENCING OR WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN.**

''(a) GRANTS AUTHORIZED.—

''(1) AUTHORITY.—The Secretary is authorized to award grants to and enter into contracts with elementary schools and secondary schools that work with experts described in paragraph (2), to enable the schools—

''(A) to provide training to school administrators, faculty, and staff, with respect to issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this subparagraph on children;

''(B) to provide educational programing to students regarding domestic violence and the impact of experiencing or witnessing domestic violence on children;

''(C) to provide support services for students and school personnel for the purpose of developing and strengthening effective prevention and intervention strategies with respect to issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this subparagraph on children; and

''(D) to develop and implement school system policies regarding identification and referral procedures for students who are experiencing or witnessing domestic violence.

''(2) EXPERTS.—The experts referred to in paragraph (1) are experts on domestic violence from the educational, legal, youth, mental health, substance abuse, and victim advocacy fields, and State and local domestic violence coalitions and community-based youth organizations.

''(3) AWARD BASIS.—The Secretary shall award grants and contracts under this section on a competitive basis.

''(4) POLICY DISSEMINATION.—The Secretary shall disseminate to elementary schools and secondary schools any Department of Education policy guidance regarding preventing domestic violence and the impact of experiencing or witnessing domestic violence on children.

''(b) USES OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) To provide training for school administrators, faculty, and staff that addresses issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this paragraph on children.

''(2) To provide education programs for students that are developmentally appropriate for the students' grade levels and are designed to meet any unique cultural and language needs of the particular student populations.

''(3) To develop and implement school system policies regarding identification and referral procedures for students who are experiencing or witnessing domestic violence.

''(4) To provide the necessary human resources to respond to the needs of students and school personnel when faced with the issue of domestic violence, such as a resource person who is either on-site or on-call, and who is an expert in domestic violence as described in subsection (a)(2).

''(5) To provide media center materials and educational materials to schools that address issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this paragraph on children.

''(6) To conduct evaluations to assess the impact of programs assisted under this section in order to enhance the development of the programs.

''(c) CONFIDENTIALITY.—Policies, programs, training materials, and evaluations developed and implemented under subsection (b) shall address issues of victim safety and confidentiality that are consistent with applicable Federal and State laws.

''(d) APPLICATION.—

''(1) IN GENERAL.—To be eligible to be awarded a grant or contract under this section for any fiscal year, an elementary school or secondary school, in consultation with an expert described in subsection (a)(2), shall submit an application to the Secretary at such time and in such manner as the Secretary shall prescribe.

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

''(A) describe the need for funds provided under the grant or contract and the plan for implementation of any of the uses described in subsection (b);

''(B) describe how the domestic violence experts described in subsection (a)(2) shall work in consultation and collaboration with the elementary school or secondary school; and

''(C) provide measurable goals and expected results from the use of the funds provided under the grant or contract.

''(e) DEFINITIONS.—In this section, the terms 'domestic violence' and 'witness domestic violence' have the meanings given the terms in section 803 of the Children Who Witness Domestic Violence Protection Act.

''(f) APPLICABILITY.—The provisions of this part (other than this section) shall not apply to this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 4004 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7104) is amended—

(1) in paragraph (1), by striking ''and'' after the semicolon;

(2) in paragraph (2) by striking the period and inserting ''; and ''; and

(3) by adding at the end the following:

''(3) $5,000,000 for each of the fiscal years 2000 through 2002 to carry out section 4124.''.

SEC. 806. CHILD WELFARE WORKER TRAINING ON DOMESTIC VIOLENCE. (a) DEFINITIONS.—In this section:

(1) GRANTEE.—The term ''grantee'' means a recipient of a grant under this section.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) GRANTS AUTHORIZED.—

(1) AUTHORITY.—The Attorney General and the Secretary are authorized to jointly award grants to eligible States, Indian tribal governments, and units of local government, in order to encourage agencies and entities within the jurisdiction of the States, organizations, and units to recognize and treat, as part of their ongoing child welfare responsibilities, domestic violence as a serious problem threatening the safety and well-being of both children and adults.

(2) TERM AND AMOUNT.—Each grant awarded under this section shall be awarded for a term of 3 years and in an amount of not less than $250,000.

(c) USE OF FUNDS.—Funds provided under this section may be used to support child welfare service agencies in carrying out, with the assistance of entities carrying out community-based domestic violence programs, activities to achieve the following purposes:

(1) To provide training to the staff of child welfare service agencies and domestic violence programs with respect to the issue of domestic violence and the impact of the violence on children and their nonabusive parents, which training shall—

(A) include training for staff, supervisors, and administrators, including staff responsible for screening, intake, assessment, and investigation of reports of child abuse and neglect; and

(B) be conducted in collaboration with child welfare experts, domestic violence experts, entities carrying out community-based domestic violence programs, relevant law enforcement agencies, probation officers, prosecutors, and judges.

(2) To provide assistance in the modification of policies, procedures, programs, and practices of child welfare service agencies and domestic violence programs in order to ensure that the agencies—

(A) recognize the overlap between child abuse and domestic violence in families, the dangers posed to both child and adult victims of domestic violence, and the physical, emotional, and developmental impact of domestic violence on children;

(B) develop relevant protocols for screening, intake, assessment, and investigation of and followup to reports of child abuse and neglect, that—

(i) address the dynamics of domestic violence and the relationship between child abuse and domestic violence; and

(ii) enable the agencies to assess the danger to child and adult victims of domestic violence;

(C) identify and assess the presence of domestic violence in child protection cases, in a manner that ensures the safety of all individuals involved and the protection of confidential information;

(D) increase the safety and well-being of children who witness domestic violence, including increasing the safety of nonabusive parents of the children;

(E) develop appropriate responses in cases of domestic violence, including safety plans and appropriate services for both the child and adult victims of domestic violence;

(F) establish and enforce procedures to ensure the confidentiality of information relating to families that is shared between child welfare service agencies and community-based domestic violence programs, consistent with law (including regulations) and guidelines;

(G) provide appropriate supervision to agency staffs who work with families in which there has been domestic violence, including supervision concerning issues regarding—

(i) promoting staff safety; and

(ii) protecting the confidentiality of child and adult victims of domestic violence; and

(H) develop protocols with law enforcement, probation, and other justice agencies in order to ensure that justice system interventions and protections are readily available for victims of domestic violence served by the social service agency.

(d) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State, Indian tribal government, or unit of local government shall submit an application to the Attorney General and the Secretary at such time and in such manner as the Attorney General and the Secretary shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall contain information that—

(A) describes the specific activities that will be undertaken to achieve 1 or more of the purposes described in subsection (c);

(B) lists the child welfare service agencies and domestic violence service agencies in the jurisdiction of the applicant that will be responsible for carrying out the activities; and

(C) provides documentation from 1 or more community-based domestic violence programs that the entities carrying out such programs—

(i) have been involved in the development of the application; and

(ii) will assist in carrying out the specific activities described in subparagraph (A), which may include assisting as subcontractors.

(e) PRIORITY.—In awarding grants under this section, the Attorney General and the Secretary shall give priority to applicants who demonstrate that entities that carry out domestic violence programs will be substantially involved in carrying out the specific activities described in subsection (d)(2)(A), and to applicants who demonstrate a commitment to educate the staff of child welfare service agencies about—

(1) the impact of domestic violence on children;

(2) the special risks of child abuse and neglect; and

(3) appropriate services and interventions for protecting both the child and adult victims of domestic violence.

(f) EVALUATION, REPORTING, AND DISSEMINATION.—

(1) EVALUATION AND REPORTING.—Each grantee shall annually submit to the Attorney General and the Secretary a report, which shall include—

(A) an evaluation of the effectiveness of activities funded with a grant awarded under this section; and

(B) such additional information as the Attorney General and the Secretary may require.

(2) DISSEMINATION.—Not later than 6 months after the expiration of the 3-year period beginning on the initial date on which grants are awarded under this section, the Attorney General and the Secretary shall distribute to each State child welfare service agency and each State domestic violence coalition, and to Congress, a summary of information on—

(A) the activities funded with grants under this section; and

(B) any related initiatives undertaken by the Attorney General or the Secretary to promote attention by the staff of child welfare service agencies and community-based domestic violence programs to domestic violence and the impact of domestic violence on child and adult victims of domestic violence.

(g) TECHNICAL ASSISTANCE.—

(1) IDENTIFICATION OF SUCCESSFUL PROGRAMS.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing training to child welfare and domestic violence programs to address the needs of children who witness domestic violence.

(2) AGREEMENT.—Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into an agreement with 1 or more entities carrying out the training programs identified under paragraph (1) to provide technical assistance to the applicants and recipients of the grants.

(3) FUNDING.—The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (h) to provide technical assistance pursuant to the agreement under paragraph (2).

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

SEC. 807. SAFE HAVENS FOR CHILDREN. (a) GRANTS AUTHORIZED.—The Attorney General may award grants to States (including State courts) and Indian tribal governments in order to enable them to enter into contracts and cooperative agreements with public or private nonprofit entities (including tribal organizations and nonprofit organizations operating within the boundaries of an Indian reservation) to assist those entities in establishing and operating supervised visitation centers for purposes of facilitating supervised visitation and visitation exchange of children by and between parents. Not less than 50 percent of the total amount awarded to a State or Indian tribal government under this subsection for any fiscal year shall be used to enter into contracts and cooperative agreements with private nonprofit entities.

(b) CONSIDERATIONS.—In awarding grants under subsection (a), the Attorney General shall consider—

(1) the number of families to be served by the proposed visitation center;

(2) the extent to which the proposed supervised visitation center will serve underserved populations (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2));

(3) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community served, including the State or tribal domestic violence coalition, State or tribal sexual assault coalition, local shelters, and programs for domestic violence and sexual assault victims;

(4) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral; and

(5) the extent to which the applicant demonstrates implementation of domestic violence and sexual assault training for all staff members.

(c) USE OF FUNDS.—Amounts provided under a grant, contract, or cooperative agreement awarded under this section may be used only to establish and operate supervised visitation centers.

(d) APPLICATION.—

(1) IN GENERAL.—The Attorney General shall award grants for contracts and cooperative agreements under this section in accordance with such regulations as the Attorney General may establish by regulation, which regulations shall establish a multiyear grant process.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) demonstrate recognized expertise in the area of domestic violence and a record of high quality service to victims of domestic violence or sexual assault;

(B) demonstrate collaboration with and support of the State or tribal domestic violence coalition, State or tribal sexual assault coalition, or local domestic violence shelter, program, or rape crisis center in the locality in which the supervised visitation center will be operated;

(C) provide supervised visitation and visitation exchange services over the duration of a court order to promote continuity and stability;

(D) ensure that any fees charged to individuals for use of services are based on an individual's income;

(E) demonstrate that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, are in place for the operation of supervised visitation; and

(F) describe standards by which the supervised visitation center will operate.

(3) PRIORITY.—In awarding grants for contracts and cooperative agreements under this section, the Attorney General shall give priority to States that, in making a custody determination—

(A) consider domestic violence; and

(B) require findings on the record.

(e) ANNUAL REPORT.—Not later than 120 days after the last day of each fiscal year, the Attorney General shall submit to Congress a report that includes information concerning—

(1) the total number of individuals served and the total number of individuals turned away from services (categorized by State), the number of individuals from underserved populations served and the number turned away from services, and the factors that necessitate the supervised visitation or visitation exchange, such as domestic violence, child abuse, sexual assault, and emotional or other physical abuse, or any combination of such factors;

(2) the number of supervised visitations or visitation exchanges ordered during custody determinations under a separation or divorce decree or protection order, through child protection services or other social services agencies, or by any other order of a civil, criminal, juvenile, or family court;

(3) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which the supervised visitation centers are established under this section;

(4) safety and security problems occurring during the reporting period during supervised visitations or at visitation centers including the number of parental abduction cases;

(5) the number of parental abduction cases in a judicial district using supervised visitation services, both as identified in criminal prosecutions and in custody violations; and

(6) program standards for operating supervised visitation centers established throughout the United States.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $20,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

(3) DISTRIBUTION.—Not less than 95 percent of the total amount made available to carry out this section for each fiscal year shall be used to award grants, contracts, or cooperative agreements.

(4) ALLOTMENT FOR INDIAN TRIBES.—

(A) IN GENERAL.—Subject to subparagraph (B), not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to, or contracts or cooperative agreements with, tribal organizations and nonprofit organizations operating within the boundaries of an Indian reservation.

(B) REALLOTMENT OF FUNDS.—If, beginning 9 months after the first day of any fiscal year for which amounts are made available under this paragraph, any amount made available under this paragraph remains unobligated, the unobligated amount may be allocated without regard to subparagraph (A).

SEC. 808. LAW ENFORCEMENT OFFICER TRAINING. (a) GRANTS AUTHORIZED.—The Attorney General shall award grants to nonprofit domestic violence programs, shelters, or organizations in collaboration with local police departments, for purposes of training local police officers regarding appropriate treatment of children who have witnessed domestic violence.

(b) USE OF FUNDS.—A domestic violence agency working in collaboration with a local police department may use amounts provided under a grant under this section—

(1) to train police officers in child development and issues related to witnessing domestic violence so they may appropriately—

(A) apply child development principles to their work in domestic violence cases;

(B) recognize the needs of children who witness domestic violence;

(C) meet children's immediate needs at the scene of domestic violence;

(D) call for immediate therapeutic attention to be provided to the child by an advocate from the collaborating domestic violence program, shelter, or organization; and

(E) refer children for followup services; and

(2) to establish a collaborative working relationship between police officers and local domestic violence programs, shelters, and organizations.

(c) APPLICATION.—

(1) IN GENERAL.—To be eligible to be awarded a grant under this section for any fiscal year, a local domestic violence program, shelter, or organization, in collaboration with a local police department, shall submit an application to the Attorney General at such time and in such manner as the Attorney General shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) describe the need for amounts provided under the grant and the plan for implementation of the uses described in subsection (c);

(B) describe the manner in which the local domestic violence program, shelter, or organization shall work in collaboration with the local police department; and

(C) provide measurable goals and expected results from the use of amounts provided under the grant.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

SEC. 809. REAUTHORIZATION OF CRISIS NURSERIES. (a) AUTHORITY TO ESTABLISH DEMONSTRATION GRANT PROGRAMS.—The Secretary of Health and Human Services may establish demonstration programs under which grants are awarded to States to assist private and public agencies and organizations in providing crisis nurseries for children who are abused and neglected, are at risk of abuse or neglect, are witnessing domestic violence, or are in families receiving child protective services.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2000 through 2002.

TITLE IX—HATE CRIMES PREVENTION

SEC. 901. SHORT TITLE. This title may be cited as the ''Hate Crimes Prevention Act of 1999''.

SEC. 902. FINDINGS. Congress finds that—

(1) the incidence of violence motivated by the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability of the victim poses a serious national problem;

(2) such violence disrupts the tranquility and safety of communities and is deeply divisive;

(3) existing Federal law is inadequate to address this problem;

(4) such violence affects interstate commerce in many ways, including—

(A) by impeding the movement of members of targeted groups and forcing such members to move across State lines to escape the incidence or risk of such violence; and

(B) by preventing members of targeted groups from purchasing goods and services, obtaining or sustaining employment or participating in other commercial activity;

(5) perpetrators cross State lines to commit such violence;

(6) instrumentalities of interstate commerce are used to facilitate the commission of such violence;

(7) such violence is committed using articles that have traveled in interstate commerce;

(8) violence motivated by bias that is a relic of slavery can constitute badges and incidents of slavery;

(9) although many State and local authorities are now and will continue to be responsible for prosecuting the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias, Federal jurisdiction over certain violent crimes motivated by bias is necessary to supplement State and local jurisdiction and ensure that justice is achieved in each case;

(10) Federal jurisdiction over certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes;

(11) the problem of hate crime is sufficiently serious, widespread, and interstate in nature as to warrant Federal assistance to States and local jurisdictions; and

(12) freedom of speech and association are fundamental values protected by the first amendment to the Constitution of the United States, and it is the purpose of this title to criminalize acts of violence, and threats of violence, carried out because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, or disability of the victim, not to criminalize beliefs in the abstract.

SEC. 903. DEFINITION OF HATE CRIME. In this title, the term ''hate crime'' has the same meaning as in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

SEC. 904. PROHIBITION OF CERTAIN ACTS OF VIOLENCE. Section 245 of title 18, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c)(1) Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

''(A) shall be imprisoned not more than 10 years, or fined in accordance with this title, or both; and

''(B) shall be imprisoned for any term of years or for life, or fined in accordance with this title, or both if—

''(i) death results from the acts committed in violation of this paragraph; or

''(ii) the acts committed in violation of this paragraph include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

''(2)(A) Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B), willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived religion, gender, sexual orientation, or disability of any person—

''(i) shall be imprisoned not more than 10 years, or fined in accordance with this title, or both; and

''(ii) shall be imprisoned for any term of years or for life, or fined in accordance with this title, or both, if—

''(I) death results from the acts committed in violation of this paragraph; or

''(II) the acts committed in violation of this paragraph include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

''(B) For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

''(i) in connection with the offense, the defendant or the victim travels in interstate or foreign commerce, uses a facility or instrumentality of interstate or foreign commerce, or engages in any activity affecting interstate or foreign commerce; or

''(ii) the offense is in or affects interstate or foreign commerce.

''(3) No prosecution of any offense described in this subsection may be undertaken by the United States, except upon the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that—

''(A) he or she has reasonable cause to believe that the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability of any person was a motivating factor underlying the alleged conduct of the defendant; and

''(B) that he or his designee or she or her designee has consulted with State or local law enforcement officials regarding the prosecution and determined that—

''(i) the State does not have jurisdiction or refuses to assume jurisdiction;

''(ii) the State has requested that the Federal Government assume jurisdiction; or

''(iii) actions by State and local law enforcement officials have or are likely to leave demonstratively unvindicated the Federal interest in eradicating bias-motivated violence.''.

SEC. 905. DUTIES OF FEDERAL SENTENCING COMMISSION. (a) AMENDMENT OF FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall study the issue of adult recruitment of juveniles to commit hate crimes and shall, if appropriate, amend the Federal sentencing guidelines to provide sentencing enhancements (in addition to the sentencing enhancement provided for the use of a minor during the commission of an offense) for adult defendants who recruit juveniles to assist in the commission of hate crimes.

(b) CONSISTENCY WITH OTHER GUIDELINES.—In carrying out this section, the United States Sentencing Commission shall—

(1) ensure that there is reasonable consistency with other Federal sentencing guidelines; and

(2) avoid duplicative punishments for substantially the same offense.

SEC. 906. GRANT PROGRAM. (a) AUTHORITY TO MAKE GRANTS.—The Office of Justice Programs of the Department of Justice shall make grants, in accordance with such regulations as the Attorney General may prescribe, to State and local programs designed to combat hate crimes committed by juveniles, including programs to train local law enforcement officers in investigating, prosecuting, and preventing hate crimes.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 907. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE AND LOCAL LAW ENFORCEMENT. There are authorized to be appropriated to the Department of the Treasury and the Department of Justice, including the Community Relations Service, for fiscal years 2000, 2001, and 2002 such sums as are

necessary to increase the number of personnel to prevent and respond to alleged violations of section 245 of title 18, United States Code (as amended by this title).

SEC. 908. SEVERABILITY. If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 909. HATE CRIMES. (a) DECLARATIONS.—Congress declares that—

(1) further efforts must be taken at all levels of government to respond to the staggering brutality of hate crimes that have riveted public attention and shocked the Nation;

(2) hate crimes are prompted by bias and are committed to send a message of hate to targeted communities, usually defined on the basis of immutable traits;

(3) the prominent characteristic of a hate crime is that it devastates not just the actual victim and the victim's family and friends, but frequently savages the community sharing the traits that caused the victim to be selected;

(4) any efforts undertaken by the Federal Government to combat hate crimes must respect the primacy that States and local officials have traditionally been accorded in the criminal prosecution of acts constituting hate crimes; and

(5) an overly broad reaction by the Federal Government to this serious problem might ultimately diminish the accountability of State and local officials in responding to hate crimes and transgress the constitutional limitations on the powers vested in Congress under the Constitution.

(b) STUDIES.—

(1) COLLECTION OF DATA.—

(A) DEFINITION OF HATE CRIME.—In this paragraph, the term ''hate crime'' means—

(i) a crime described in subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note); and

(ii) a crime that manifests evidence of prejudice based on gender or age.

(B) COLLECTION FROM CROSS-SECTION OF STATES.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the National Governors' Association, shall select 10 jurisdictions with laws classifying certain types of crimes as hate crimes and 10 jurisdictions without such laws from which to collect data described in subparagraph (C) over a 12-month period.

(C) DATA TO BE COLLECTED.—The data to be collected are—

(i) the number of hate crimes that are reported and investigated;

(ii) the percentage of hate crimes that are prosecuted and the percentage that result in conviction;

(iii) the length of the sentences imposed for crimes classified as hate crimes within a jurisdiction, compared with the length of sentences imposed for similar crimes committed in jurisdictions with no hate crime laws; and

(iv) references to and descriptions of the laws under which the offenders were punished.

(D) COSTS.—Participating jurisdictions shall be reimbursed for the reasonable and necessary costs of compiling data under this paragraph.

(2) STUDY OF TRENDS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States and the General Accounting Office shall complete a study that analyzes the data collected under paragraph (1) and under the Hate Crime Statistics Act of 1990 to determine the extent of hate crime activity throughout the country and the success of State and local officials in combating that activity.

(B) IDENTIFICATION OF TRENDS.—In the study conducted under subparagraph (A), the Comptroller General of the United States and the General Accounting Office shall identify any trends in the commission of hate crimes specifically by—

(i) geographic region;

(ii) type of crime committed; and

(iii) the number of hate crimes that are prosecuted and the number for which convictions are obtained.

(c) MODEL STATUTE.—

(1) IN GENERAL.—To encourage the identification and prosecution of hate crimes throughout the country, the Attorney General shall, through the National Conference of Commissioners on Uniform State Laws of the American Law Institute or another appropriate forum, and in consultation with the States, develop a model statute to carry out the goals described in subsection (a) and criminalize acts classified as hate crimes.

(2) REQUIREMENTS.—In developing the model statute, the Attorney General shall—

(A) include in the model statute crimes that manifest evidence of prejudice; and

(B) prepare an analysis of all reasons why any crime motivated by prejudice based on any traits of a victim should or should not be included.

(d) SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS BY STATE AND LOCAL LAW ENFORCEMENT OFFICIALS.—

(1) ASSISTANCE OTHER THAN FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—At the request of a law enforcement official of a State or a political subdivision of a State, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that—

(i) constitutes a crime of violence (as defined in section 16 of title 18, United States Code);

(ii) constitutes a felony under the laws of the State; and

(iii) is motivated by prejudice based on the victim's race, ethnicity, or religion or is a violation of the State's hate crime law.

(B) PRIORITY.—In providing assistance under subparagraph (A), the Attorney General shall give priority to crimes committed by offenders who have committed crimes in more than 1 State.

(2) GRANTS.—

(A) IN GENERAL.—There is established a grant program within the Department of Justice to assist State and local officials in the investigation and prosecution of hate crimes.

(B) ELIGIBILITY.—A State or political subdivision of a State applying for assistance under this paragraph shall—

(i) describe the purposes for which the grant is needed; and

(ii) certify that the State or political subdivision lacks the resources necessary to investigate or prosecute the hate crime.

(C) DEADLINE.—An application for a grant under this paragraph shall be approved or disapproved by the Attorney General not later than 24 hours after the application is submitted.

(D) GRANT AMOUNT.—A grant under this paragraph shall not exceed $100,000 for any single case.

(E) REPORT.—Not later than December 31, 2001, the Attorney General, in consultation with the National Governors' Association, shall submit to Congress a report describing the applications made for grants under this paragraph, the award of such grants, and the effectiveness of the grant funds awarded.

(F) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $5,000,000 for each of fiscal years 2000 and 2001.

(e) INTERSTATE TRAVEL TO COMMIT HATE CRIME.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

**''§ 249. Interstate travel to commit hate crime**

''(a) IN GENERAL.—A person, whether or not acting under color of law, who—

''(1) travels across a State line or enters or leaves Indian country in order, by force or threat of force, to willfully injure, intimidate, or interfere with, or by force or threat of force to attempt to injure, intimidate, or interfere with, any person because of the person's race, color, religion, or national origin; and

''(2) by force or threat of force, willfully injures, intimidates, or interferes with, or by force or threat of force attempts to willfully injure, intimidate, or interfere with any person because of the person's race, color, religion, or national origin,

shall be subject to a penalty under subsection (b).

''(b) PENALTIES.—A person described in subsection (a) who is subject to a penalty under this subsection—

''(1) shall be fined under this title, imprisoned not more than 1 year, or both;

''(2) if bodily injury results or if the violation includes the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title, imprisoned not more than 10 years, or both; or

''(3) if death results or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill—

''(A) shall be fined under this title, imprisoned for any term of years or for life, or both; or

''(B) may be sentenced to death.''.

(2) TECHNICAL AMENDMENT.—The analysis for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''249. Interstate travel to commit hate crime.''.

This Act may be cited as the ''Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000''.

## THE MILITARY RESERVISTS SMALL BUSINESS RELIEF ACT OF 1999

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 166, S. 918.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 918) to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small businesses, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Small Business, with an amendment

to strike all after the enacting clause and inserting in lieu thereof the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Military Reservists Small Business Relief Act of 1999''.*

***SEC. 2. REPAYMENT DEFERRAL FOR ACTIVE DUTY RESERVISTS.***

*Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end the following:*

*''(n) REPAYMENT DEFERRED FOR ACTIVE DUTY RESERVISTS.—*

*''(1) DEFINITIONS.—In this subsection:*

*''(A) ELIGIBLE RESERVIST.—The term 'eligible reservist' means a member of a reserve component of the Armed Forces ordered to active duty during a period of military conflict.*

*''(B) ESSENTIAL EMPLOYEE.—The term 'essential employee' means an individual who is employed by a small business concern and whose managerial or technical expertise is critical to the successful day-to-day operations of that small business concern.*

*''(C) PERIOD OF MILITARY CONFLICT.—The term 'period of military conflict' means—*

*''(i) a period of war declared by Congress;*

*''(ii) a period of national emergency declared by Congress or by the President; or*

*''(iii) a period of a contingency operation, as defined in section 101(a) of title 10, United States Code.*

*''(D) QUALIFIED BORROWER.—The term 'qualified borrower' means—*

*''(i) an individual who is an eligible reservist and who received a direct loan under subsection (a) or (b) before being ordered to active duty; or*

*''(ii) a small business concern that received a direct loan under subsection (a) or (b) before an eligible reservist, who is an essential employee, was ordered to active duty.*

*''(2) DEFERRAL OF DIRECT LOANS.—*

*''(A) IN GENERAL.—The Administration shall, upon written request, defer repayment of principal and interest due on a direct loan made under subsection (a) or (b), if such loan was incurred by a qualified borrower.*

*''(B) PERIOD OF DEFERRAL.—The period of deferral for repayment under this paragraph shall begin on the date on which the eligible reservist is ordered to active duty and shall terminate on the date that is 180 days after the date such eligible reservist is discharged or released from active duty.*

*''(C) INTEREST RATE REDUCTION DURING DEFERRAL.—Notwithstanding any other provision of law, during the period of deferral described in subparagraph (B), the Administration may, in its discretion, reduce the interest rate on any loan qualifying for a deferral under this paragraph.*

*''(3) DEFERRAL OF LOAN GUARANTEES AND OTHER FINANCINGS.—The Administration shall—*

*''(A) encourage intermediaries participating in the program under subsection (m) to defer repayment of a loan made with proceeds made available under that subsection, if such loan was incurred by a small business concern that is eligible to apply for assistance under subsection (b)(3); and*

*''(B) not later than 30 days after the date of enactment of this subsection, establish guidelines to—*

*''(i) encourage lenders and other intermediaries to defer repayment of, or provide other relief relating to, loan guarantees under subsection (a) and financings under section 504 of the Small Business Investment Act of 1958 that were incurred by small business concerns that are eligible to apply for assistance under subsection (b)(3), and loan guarantees provided under subsection (m) if the intermediary provides relief to a small business concern under this paragraph; and*

*''(ii) implement a program to provide for the deferral of repayment or other relief to any intermediary providing relief to a small business borrower under this paragraph.''.*

***SEC. 3. DISASTER LOAN ASSISTANCE FOR MILITARY RESERVISTS' SMALL BUSINESSES.***

*Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after the undesignated paragraph that begins with ''Provided, That no loan'', the following:*

*''(3)(A) In this paragraph—*

*''(i) the term 'essential employee' means an individual who is employed by a small business concern and whose managerial or technical expertise is critical to the successful day-to-day operations of that small business concern;*

*''(ii) the term 'period of military conflict' has the meaning given the term in subsection (n)(1); and*

*''(iii) the term 'substantial economic injury' means an economic harm to a business concern that results in the inability of the business concern—*

*''(I) to meet its obligations as they mature;*

*''(II) to pay its ordinary and necessary operating expenses; or*

*''(III) to market, produce, or provide a product or service ordinarily marketed, produced, or provided by the business concern.*

*''(B) The Administration may make such disaster loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) to assist a small business concern that has suffered or that is likely to suffer substantial economic injury as the result of an essential employee of such small business concern being ordered to active military duty during a period of military conflict.*

*''(C) A small business concern described in subparagraph (B) shall be eligible to apply for assistance under this paragraph during the period beginning on the date on which the essential employee is ordered to active duty and ending on the date that is 90 days after the date on which such essential employee is discharged or released from active duty.*

*''(D) Any loan or guarantee extended pursuant to this paragraph shall be made at the same interest rate as economic injury loans under paragraph (2).*

*''(E) No loan may be made under this paragraph, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis, if the total amount outstanding and committed to the borrower under this subsection would exceed $1,500,000, unless such applicant constitutes a major source of employment in its surrounding area, as determined by the Administration, in which case the Administration, in its discretion, may waive the $1,500,000 limitation.*

*''(F) For purposes of assistance under this paragraph, no declaration of a disaster area shall be required.''.*

***SEC. 4. BUSINESS DEVELOPMENT AND MANAGEMENT ASSISTANCE FOR MILITARY RESERVISTS' SMALL BUSINESSES.***

*(a) IN GENERAL.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following:*

*''(l) MANAGEMENT ASSISTANCE FOR SMALL BUSINESSES AFFECTED BY MILITARY OPERATIONS.—The Administration shall utilize, as appropriate, its entrepreneurial development and management assistance programs, including programs involving State or private sector partners, to provide business counseling and training to any small business concern adversely affected by the deployment of units of the Armed Forces of the United States in support of a period of military conflict (as defined in section 7(n)(1)).''.*

*(b) ENHANCED PUBLICITY DURING OPERATION ALLIED FORCE.—For the duration of Operation Allied Force and for 120 days thereafter, the Administration shall enhance its publicity of the availability of assistance provided pursuant to the amendments made by this Act, including information regarding the appropriate local office at which affected small businesses may seek such assistance.*

***SEC. 5. GUIDELINES.***

*Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue such guidelines as the Administrator determines to be necessary to carry out this Act and the amendments made by this Act.*

***SEC. 6. EFFECTIVE DATES.***

*(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall take effect on the date of the enactment of this Act.*

*(b) DISASTER LOANS.—The amendments made by section 3 shall apply to economic injury suffered or likely to be suffered as the result of a period of military conflict occurring or ending on or after March 24, 1999.*

Mr. KERRY. Mr. President, after weeks of difficult decisions, decisions which have in too many respects divided us by party, we have today an easy vote—a vote on which we can all agree. We can support reservists and small business by voting for S. 918, the Military Reservists Small Business Relief Act of 1999. When I introduced this bill on April 29th, it had 31 cosponsors. It now has the endorsement of 52 Senators—31 Democrats and 21 Republicans.

A majority of the Senate—Senators from Maine to Utah, Michigan to North Carolina—have said that the men and women who serve as reservists need and deserve help maintaining their businesses while they are serving on active duty. That is an important statement about our commitment to the reservists who serve our country.

Today, more than 4,700 reservists are serving on active duty around the world. Where are they? In Haiti, Iraq, Bosnia, and Kosovo. And where are their businesses and jobs? Pick any state—Massachusetts, Arizona, Georgia, Ohio, Michigan.

When these men and women are called to action, they often have little notice, and their families face financial and emotional hardships. With half of America's military forces serving in reserve and National Guard units—a total of 1.4 million Americans—the Pentagon has acknowledged that extensive missions now require quicker call-ups. As a veteran of the Vietnam War and Ranking Member of the Small Business Committee, I know how disruptive active service can be for reservists who are suddenly called away from their families and work to serve our country.

What does a small business with few financial or personal reserves do without the owner, manager or employee who is essential to the daily operation and success of the small business? If you're in a rural area or small town, it will be hard to find a replacement. And if your family steps in, often they don't have the experience or time to run the business. A Commander from Danvers, Mass, who owns two gas station convenience stores said the tight job market only exacerbates the difficulty of finding a replacement, and that training someone well enough to ''leave the

business in [their] hands would be near impossible.'' We need to help these men and women, their families and communities, bridge the gap between when the troops leave and when they return.

The Military Reservists Small Business Relief Act of 1999 offers small businessmen and women three types of assistance. First, it authorizes the SBA to defer loan repayments and to reduce interest rates on any of its direct loans, including disaster loans. The deferrals and reductions authorized by this bill are available from the date that the military reservist is called to active duty until 180 days after his or her release from active duty.

For microloans and loans guaranteed under the SBA's financial assistance programs, such as the 504 and 7(a) loan programs, the bill directs the Agency to develop policies that encourage and facilitate ways for SBA lenders to defer or reduce loan repayments. For example, a microlenders' ability to repay its debt to the SBA is dependent upon payments from microborrowers. So, with this bill's authority, if a microlender extends or defers loan repayment to a borrower who is a deployed military reservist, in turn the SBA would extend repayment obligations to the microlender.

Second, the bill establishes a low-interest economic injury loan program to be administered by the SBA through its disaster loan program. These loans would be available to provide interim operating capital to any small business when the departure of a miliary reservist to active duty causes substantial economic injury. Under the bill, such harm includes three general cases: inability to make loan payments; inability to pay ordinary and necessary operating expenses; or inability to market, produce or provide a service or product that it ordinarily provides. Under this provision, an eligible small business may apply for an economic injury loan from the date that the company's military reservist is ordered to active duty until 90 days after release from active duty.

Third, the bill directs the SBA and all of its private sector partners, such as the Small Business Development Centers and the Women's Business Centers, to make every effort to reach out to those businesses affected by call up of military reservists to active duty and offer business counseling and training. Those left behind to run the business, whether it's a spouse, a child, or an employee, while the military reservist is serving, may be inexperienced in running the business and need quick access to management and marketing counseling. We need to do what we can to help them keep their doors open and reduce the impact of military conflicts and national emergencies on the economy.

Finally, at the insightful suggestion of my colleague Senator LEVIN, the bill will be effective for all qualified reservists who are demobilized as of March 24th, 1999. According to the Department of Defense, 1,266 reservists have been demobilized from Bosnia, Iraq and Kosovo since the 24th.

The provisions for this bill should already be available for those who need it, and I deeply regret that this bill hasn't been acted on earlier. The nature of the legislation is uncontroversial, it passed the Committee on Small Business June 9th, almost 50 days ago, by unanimous consent and, to repeat, it has the endorsement of 51 Senators. Since then, it has also passed the full House and the Senate Committee on Small Business as part of H.R. 1568, the Veterans Entrepreneurship and Small Business Development Act of 1999.

As much as I am frustrated by the delay on this bill, it probably doesn't compare to that of reservists who are on active duty and losing sleep over how they are going to keep their businesses going and avoid ruining their credit records. Ask the truck driver who serves in the Missouri National Air Guard and reported to active duty four months ago. He bought a new rig shortly before being called up and has hefty monthly payments to meet. He lined up a replacement to drive his truck while he was gone to keep money coming in, but the driver backed out of the agreement right before the reservist was to leave.

He tried to do the right thing—to implement a contingent plan—and yet something beyond his control interfered. It's hard to keep your customers happy when their merchandise isn't getting delivered. And it's even harder to make your loan payments when you're not bringing in enough money.

Or ask the reservist from Oklahoma who has supported his wife and four children for the past five years with a carpet and upholstery business. In 1998, he was called up for eight months, and he's been active this year since May 8th. What made it particularly damaging for his business this year was that he was called up at the beginning of the industry's high season. January to April are slow times, and April to December are the money-making months. He called my office a month ago to find out about this bill and find out how he could get assistance.

Though this bill was still waiting for action by the full Senate, we put him in contact with the SBA headquarters in Oklahoma to find some way to help. After reviewing his options and what it would take to resuscitate his business, he called to say that he was closing shop for good: ''I'm just going to close my business down. I'm not going to try to get a small business loan. I want to cut my losses now. . . .''

We have yet to know the full impact on and needs of reservists currently deployed, but, unfortunately, we know the veteran reservists of the Persian Gulf War, Operation Desert Storm, suffered substantial set-backs while away from their businesses. They left their businesses or companies in good shape and returned to hardships ranging from bankruptcy to financial ruin, from deserted clients to layoffs.

When I introduced this bill, I talked about a small-business owner from New England, a physician and Lieutenant Commander in the Navy Reserve. He was called up for Operation Desert Storm as a flight surgeon in January 1991. For ten years, he had been a solo practitioner. After six months of service, he had to file bankruptcy. That bankruptcy affected not only him and his wife, but also his two employees and their families. After one year on duty, he returned home to face civilian life without a business or a job. He was only one of many. We must never let that happen again.

The Military Reservists Small Business Relief Act is timely because it can help those 6,500 reservists who have been serving in Kosovo since as far back as March. Even those who have already come home and are struggling to keep their businesses afloat. However, it is also important for future reservists because it can offer them relief if they serve any future contingency operations such as Kosovo, military conflicts or national emergencies.

For example, in 1993, the National Guard in Missouri was deployed for two months to help with the devastating flood of the Missouri and Mississippi Rivers that left 14 miles of Missouri river-front land under water. While on active duty, two reservists, one with a successful hair salon in a suburb of St. Louis and another with a painting business in Rolla, lost so many of their clients they eventually had to close their small businesses. One of them resigned from the National Guard after that experience because he felt it had taken too big a toll on his life. At a time when America so badly needs more of our citizens to give of themselves, to sign up as military reservists, to make a sacrifice, we must pass this bill to make sure that service will not mean financial ruin. We must pass this legislation to take a stand for our reservists.

In closing, I want to thank and acknowledge Jan Behon of Pittsburgh, Pennsylvania, and Dr. Harold V. Nelson of Louisville, Kentucky, who volunteer for SERRR, the Self-Employed Recalled Reservists and Retirees committee, for their support, years of sacrifice and experience that they lent to this bill.

I also want to thank the National Guard Association of the United States for backing this legislation and ask that the Association's letter of support be included in the RECORD.

Mr. President, I thank my colleagues, particularly the 51 cosponsors of my bill, for their support of this important legislation.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee substitute amendment be agreed to, the bill, as amended, be read the third time, and passed, and the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The bill (S. 918), as amended, was read the third time, and passed.

## PRESERVATION OF ROUTE 66 CULTURAL RESOURCES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 66, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 66) to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of Interior to provide assistance.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 66) was considered read the third time and passed.

Mr. DOMENICI. Mr. President, I am so very pleased that the Senate has passed H.R. 66, and taken an historic step in preserving one of America's cultural treasures—Route 66. I have long championed preservation of Route 66, the ''Mother Road,'' which changed and shaped America in the twentieth century. This body had already passed my legislation earlier this year, S. 292, the Route 66 Corridor Preservation Act. Congresswoman HEATHER WILSON of Albuquerque, New Mexico, reintroduced a companion bill (H.R. 66) in the House of Representatives, and after a few amendments, we have finally got legislation which will preserve the unique cultural resources along the famous Route and authorize the Interior Secretary to provide assistance through the Park Service. I have been working for this day for nine years.

This legislation almost became law at the end of the 105th Congress, but failed to pass in the House of Representatives due to last minute political wrangling. However, no one has ever questioned the merit of this legislation.

I introduced the ''Route 66 Study Act of 1990,'' which directed the National Park Service to determine the best ways to preserve, commemorate, and interpret Route 66. As a result of that study, I introduced legislation last Congress authorizing the National Park Service to join with Federal, State, and private efforts to preserve aspects of historic Route 66, the Nation's most important thoroughfare for East-West migration in the twentieth century.

H.R. 66 authorizes a funding level over 10 years and stresses that we want the Federal Government to support grassroots efforts to preserve aspects of this historic highway. The Secretary of the Interior can now support State, local, tribal, and private organizations' efforts to preserve these resources.

Designated in 1926, the 2,200-mile Route 66 stretched from Chicago to Santa Monica, CA. It rolled through eight American States and three time zones. In New Mexico, it went through the communities of Tucumcari, Santa Rosa, Albuquerque, Grants, and Gallup. New Mexico added to the aura of Route 66, giving new generations of Americans their first experience of our colorful culture and heritage. Route 66 allowed generations of vacationers to travel to previously remote areas and experience the natural beauty and cultures of the Southwest and Far West.

While mobility of Americans has increased, few have forgotten the impact of this two-lane roadway of our youth. The ''Grapes of Wrath'' illustrates how depression-era families utilized this ''Mother Road'' to escape the dust bowl and start new lives in the West. The western U.S. was later opened to tourism, and many people learned the beauties of this entire country, Midwest to West. And I think a few folks discovered that New Mexico really is the Land of Enchantment.

The bill is designed to assist private efforts to preserve structures and other cultural resources of the historic Route 66 corridor. I am pleased that as we reach the turn of the century, we have recognized this historic landmark, and the impact it had on this Nation in this century.

I thank my colleagues for once again recognizing the importance of this legislation. I also want to thank the many New Mexicans and the National Historic Route 66 Federation for their support and help in this effort. Finally we will have a law recognizing the twentieth century equivalent to the Santa Fe Trail.

## MUHAMMAD ALI BOXING REFORM ACT

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 161, S. 305.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 305) to reform unfair and anticompetitive practices in the professional boxing industry.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, Science, and Transportation, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 305

*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 ''Muhammad Ali Boxing Reform Act''.

**SEC. 2. FINDINGS.**

The Congress makes the following findings:

(1) Professional boxing differs from other major, interstate professional sports industries in the United States in that it operates without any private sector association, league, or centralized industry organization to establish uniform and appropriate business practices and ethical standards. This has led to repeated occurrences of disreputable and coercive business practices in the boxing industry, to the detriment of professional boxers nationwide.

(2) Professional boxers are vulnerable to exploitative business practices engaged in by certain promoters and sanctioning bodies which dominate the sport. Boxers do not have an established representative group to advocate for their interests and rights in the industry.

(3) State officials are the proper regulators of professional boxing events, and must protect the welfare of professional boxers and serve the public interest by closely supervising boxing activity in their jurisdiction. State boxing commissions do not currently receive adequate information to determine whether boxers competing in their jurisdiction are being subjected to contract terms and business practices which may be violative of State regulations, or are onerous and confiscatory.

(4) Promoters who engage in illegal, coercive, or unethical business practices can take advantage of the lack of equitable business standards in the sport by holding boxing events in states with weaker regulatory oversight.

(5) The sanctioning organizations which have proliferated in the boxing industry have not established credible and objective criteria to rate professional boxers, and operate with virtually no industry or public oversight. Their ratings are susceptible to manipulation, have deprived boxers of fair opportunities for advancement, and have undermined public confidence in the integrity of the sport.

(6) Open competition in the professional boxing industry has been significantly interfered with by restrictive and anti-competitive business practices of certain promoters and sanctioning bodies, to the detriment of the athletes and the ticket-buying public. Common practices of promoters and sanctioning organizations represent restraints of interstate trade in the United States.

(7) It is necessary and appropriate to establish national contracting reforms to protect professional boxers and prevent exploitative business practices, and to require enhanced financial disclosures to State athletic commissions to improve the public oversight of the sport.

(8) Whereas the Congress seeks to improve the integrity and ensure fair practices of the professional boxing industry on a nationwide basis, it deems it appropriate to name this reform in honor of Muhammad Ali, whose career achievements and personal contributions to the sport, and positive impact on our society, are unsurpassed in the history of boxing.

**SEC. 3. PURPOSES.**

The purposes of this Act are—

(1) to protect the rights and welfare of professional boxers by preventing certain exploitative, oppressive, and unethical business practices they may be subject to on an interstate basis;

(2) to assist State boxing commissions in their efforts to provide more effective public oversight of the sport; and

(3) to promoting honorable competition in professional boxing and enhance the overall integrity of the industry.

**SEC 4. PROTECTING BOXERS FROM EXPLOITATION.**

The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.) is amended by—

(1) redesignating section 15 as 16; and

(2) inserting after section 14 the following:

**"SEC. 15. PROTECTION FROM EXPLOITATION.**

''(a) CONTRACT REQUIREMENTS.—

''(1) IN GENERAL.—Any contract between a boxer and a promoter or manager shall—

''(A) include mutual obligations between the parties;

''(B) specify a minimum number of professional boxing matches per year for the boxer; and

''(C) set forth a specific period of time during which the contract will be in effect, including any provision for extension of that period due to the boxer's temporary inability to compete because of an injury or other cause.

''(2) 1-YEAR LIMIT ON COERCIVE PROMOTIONAL RIGHTS.—

''(A) The period of time for which promotional rights to promote a boxer may be granted under a contract between the boxer and a promoter, or between promoters with respect to a boxer, may not be greater than 12 months in length if the boxer is required to grant such rights, or a boxer's promoter is required to grant such rights with respect to a boxer, as a condition precedent to the boxer's participation in a professional boxing match against another boxer who is under contract to the promoter.

''(B) A promoter exercising promotional rights with respect to such boxer during the 12-month period beginning on the day after the last day of the promotional right period described in subparagraph (A) may not secure exclusive promotional rights from the boxer's opponents as a condition of participating in a professional boxing match against the boxer during that period, and any contract to the contrary—

''(i) shall be considered to be in restraint of trade and contrary to public policy; and

''(ii) unenforceable.

''(C) Nothing in this paragraph shall be construed as pre-empting any State law concerning interference with contracts.

''(3) PROMOTIONAL RIGHTS UNDER MANDATORY BOUT CONTRACTS.—Neither a promoter nor a sanctioning organization may require a boxer, in a contract arising from a professional boxing match that is a mandatory bout under the rules of the sanctioning organization, to grant promotional rights to any promoter for a future professional boxing match.

''(b) EMPLOYMENT AS CONDITION OF PROMOTING, ETC.—No person who is a licensee, manager, matchmaker, or promoter may require a boxer to employ, retain, or provide compensation to any individual or business enterprise (whether operating in corporate form or not) recommended or designated by that person as a condition of—

''(1) such person's working with the boxer as a licensee, manager, matchmaker, or promoter;

''(2) such person's arranging for the boxer to participate in a professional boxing match; or

''(3) such boxer's participation in a professional boxing match.

''(c) ENFORCEMENT.—

''(1) PROMOTION AGREEMENT.—A provision in a contract between a promoter and a boxer, or between promoters with respect to a boxer, that violates subsection (a) is contrary to public policy and unenforceable at law.

''(2) EMPLOYMENT AGREEMENT.—In any action brought against a boxer to recover money (whether as damages or as money owed) for acting as a licensee, manager, matchmaker, or promoter for the boxer, the court, arbitrator, or administrative body before which the action is brought may deny recovery in whole or in part under the contract as contrary to public policy if the employment, retention, or compensation that is the subject of the action was obtained in violation of subsection (b).''.

(b) CONFLICTS OF INTEREST.—Section 9 of such Act (15 U.S.C. 6308) is amended by—

(1) striking ''No member'' and inserting ''(a) REGULATORY PERSONNEL.—No member''; and

(2) adding at the end thereof the following:

''(b) FIREWALL BETWEEN PROMOTERS AND MANAGERS.—

''(1) IN GENERAL.—It is unlawful for—

**[**''(A) a promoter to have a direct or indirect financial interest in the management of a boxer; or

**[**''(B) a manager—**]**

*''(A) a boxer's promoter (or a promoter who is required to be licensed under State law) to have a direct or indirect financial interest in that boxer's licensed manager or management company; or*

*''(B) a licensed manager or management company (or a manager or management company that, under State law, is required to be licensed)—*

''(i) to have a direct or indirect financial interest in the promotion of a boxer; or

''(ii) to be employed by or receive compensation or other benefits from a promoter, except for amounts received as consideration under the manager's contract with the boxer.

''(2) EXCEPTION FOR SELF-PROMOTION AND MANAGEMENT.—Paragraph (1) does not prohibit a boxer from acting as his own promoter or manager.''.

**SEC. 5. SANCTIONING ORGANIZATION INTEGRITY REFORMS.**

(a) IN GENERAL.—The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.), as amended by section 4 of this Act, is amended by—

(1) redesignating section 16, as redesignated by section 4 of this Act, as section 17; and

(2) by inserting after section 15 the following:

**"SEC. 16. SANCTIONING ORGANIZATIONS.**

''(a) OBJECTIVE CRITERIA.—A sanctioning organization that sanctions professional boxing matches on an interstate basis shall establish objective and consistent written criteria for the ratings of professional boxers.

''(b) APPEALS PROCESS.—A sanctioning organization shall establish and publish an appeals procedure that affords a boxer rated by that organization a reasonable opportunity, without the payment of any fee, to submit information to contest its rating of the boxer. Under the procedure, the sanctioning organization shall, within 14 days after receiving a request from a boxer questioning that organization's rating of the boxer—

''(1) provide to the boxer a written explanation of the organization's criteria, its rating of the boxer, and the rationale or basis for its rating (including any response to any specific questions submitted by the boxer); and

''(2) submit a copy of its explanation to the President of the Association of Boxing Commissions of the United States and to the boxing commission of the boxer's domiciliary State.

''(c) NOTIFICATION OF CHANGE IN RATING.—If a sanctioning organization changes its rating of a boxer who is included, before the change, in the top 10 boxers rated by that organization, *or who, as a result of the change is included in the top 10 boxers rated by that organization*, then, within 14 days after changing the boxer's rating, the organization shall—

''(1) mail notice of the change and a written explanation of the reasons for its change in that boxer's rating to the boxer at the boxer's last known address;

''(2) post a copy, within the 14-day period, of the notice and the explanation on its Internet website or homepage, if any, for a period of not less than 30 days; and

''(3) mail a copy of the notice and the explanation to the President of the Association of Boxing Commissions.

''(d) PUBLIC DISCLOSURE.—

''(1) FTC FILING.—Not later than January 31st of each year, a sanctioning organization shall submit to the Federal Trade Commission—

''(A) a complete description of the organization's ratings criteria, policies, and general sanctioning fee schedule;

''(B) the bylaws of the organization;

''(C) the appeals procedure of the organization; and

''(D) a list and business address of the organization's officials who vote on the ratings of boxers.

''(2) FORMAT; UPDATES.—A sanctioning organization shall—

''(A) provide the information required under paragraph (1) in writing, and, for any document greater than 2 pages in length, also in electronic form; and

''(B) promptly notify the Federal Trade Commission of any material change in the information submitted.

''(3) FTC TO MAKE INFORMATION AVAILABLE TO PUBLIC.—The Federal Trade Commission shall make information received under this subsection available to the public. The Commission may assess sanctioning organizations a fee to offset the costs it incurs in processing the information and making it available to the public.

''(4) INTERNET ALTERNATIVE.—In lieu of submitting the information required by paragraph (1) to the Federal Trade Commission, a sanctioning organization may provide the information to the public by maintaining a website on the Internet that—

''(A) is readily accessible by the general public using generally available search engines and does not require a password or payment of a fee for full access to all the information;

''(B) contains all the information required to be submitted to the Federal Trade Commission by paragraph (1) in a easy to search and use format; and

''(C) is updated whenever there is a material change in the information.''.

(b) CONFLICT OF INTEREST.—Section 9 of such Act (15 U.S.C. 6308), as amended by section 4 of this Act, is amended by adding at the end thereof the following:

''(c) SANCTIONING ORGANIZATIONS.—

''(1) PROHIBITION ON RECEIPTS.—Except as provided in paragraph (2), no officer or employee of a sanctioning organization may receive any compensation, gift, or benefit directly or indirectly from a promoter, boxer, or manager.

''(2) EXCEPTIONS.—Paragraph (1) does not apply to—

''(A) the receipt of payment by a promoter, boxer, or manager of a sanctioning organization's published fee for sanctioning a professional boxing match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission under section 17; or

''(B) the receipt of a gift or benefit of de minimis value.''.

(c) SANCTIONING ORGANIZATION DEFINED.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301) is amended by adding at the end thereof the following:

''(11) SANCTIONING ORGANIZATION.—The term 'sanctioning organization' means an organization that *ranks boxers or* sanctions professional boxing matches in the United States—

''(A) between boxers who are residents of different States; or

''(B) that are advertised, otherwise promoted, or broadcast (including closed circuit television) in interstate commerce.''.

**SEC. 6. PUBLIC INTEREST DISCLOSURES TO STATE BOXING COMMISSIONS.**

(a) IN GENERAL.—The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.), as amended by section 5 of this Act, is amended by—

(1) redesignating section 17, as redesignated by section 5 of this Act, as section 18; and

(2) by inserting after section 16 the following:

**''SEC. 17. REQUIRED DISCLOSURES TO STATE BOXING COMMISSIONS.**

''(a) SANCTIONING ORGANIZATIONS.—Before [sanctioning] *sanctioning or authorizing* a professional boxing match in a State, a sanctioning organization shall provide to the boxing commission of, or responsible for [sanctioning] *regulating* matches in, that State a written statement of—

''(1) all charges, fees, and costs the organization will assess any boxer participating in that match;

''(2) all payments, benefits, complimentary benefits, and fees the organization will receive for its affiliation with the event, from the promoter, host of the event, and all other sources; and

''(3) such additional information as the commission may require.

*A sanctioning organization that receives compensation from any source to refrain from exercising its authority or jurisdiction over, or withholding its sanction of, a professional boxing match in any State shall provide the information required by paragraphs (2) and (3) to the boxing commission of that State.*

''(b) PROMOTERS.—Before a professional boxing match organized, promoted, or produced by a promoter is held in a State, the promoter shall provide [a statement in writing] to the boxing commission of, or responsible for [sanctioning] *regulating* matches in, that State—

''(1) a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;

''(2) a statement *in writing* made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and

''(3) a statement in writing of—

''(A) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses; [and]

''(B) all payments, gift, or benefits the promoter is providing to any sanctioning organization affiliated with the [event.] *event; and*

*''(C) any reduction in the amount or percentage of a boxer's purse after—*

*''(i) a previous agreement concerning the amount or percentage of that purse has been reached between the promoter and the boxer; or*

*''(ii) a purse bid held for the event.*

*''(c) JUDGES.—Before participating in a professional boxing match as a judge in any State, an individual shall provide to the boxing commission of, or responsible for regulating matches in, that State a statement in writing of all payments, including reimbursement for expenses, and any other benefits that individual will receive from any source for judging that match.*

''[(c)] *(d)* INFORMATION TO BE AVAILABLE TO STATE ATTORNEY GENERAL.—A promoter shall make information received under this section available to the chief law enforcement officer of the State in which the match is to be held upon request.

''[(d)] *(e)* EXCEPTION.—The requirements of this section do not apply in connection with a professional boxing match scheduled to last less than 10 [rounds.''.] *rounds.*

*''(f) CONFIDENTIALITY OF AGREEMENTS.—Neither a boxing commission nor an Attorney General may disclose to the public any matter furnished by a promoter under subsection (b)(1) or subsection (d) except to the extent required in public legal, administrative, or judicial proceedings brought against that promoter under State law.''.*

**SEC. 7. ENFORCEMENT.**

Section 10 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6309) is amended by—

(1) inserting a comma and ''other than section 9(b), 15, 16, or 17,'' after ''this Act'' in subsection (b)(1);

(2) redesignating paragraphs (2) and (3) of subsection (b) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

''(2) VIOLATION OF ANTI-EXPLOITATION, SANCTIONING ORGANIZATION, OR DISCLOSURE PROVISIONS.—Any person who knowingly violates any provision of section 9(b), 15, 16, or 17 of this Act shall, upon conviction, be imprisoned for not more than 1 year or fined not more than—

''(A) $100,000; and

''(B) if the violations occur in connection with a professional boxing match the gross revenues for which exceed $2,000,000, such additional amount as the court finds appropriate,

or both.''; and

(3) adding at the end thereof the following:

''(c) ACTIONS BY STATES.—Whenever the chief law enforcement officer of any State has reason to believe that a person or organization is engaging in practices which violate any requirement of this Act, the State, as *parens patriae,* may bring a civil action on behalf of its residents in an appropriate district court of the United States—

''(1) to enjoin the holding of any professional boxing match which the practice involves;

''(2) to enforce compliance with this Act;

''(3) to obtain the fines provided under subsection (b) or appropriate restitution; or

''(4) to obtain such other relief as the court may deem appropriate.

''(d) PRIVATE RIGHT OF ACTION.—Any boxer who suffers economic injury as a result of a violation of any provision of this Act may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.''.

**SEC. 8. PROFESSIONAL BOXING SAFETY ACT AMENDMENTS.**

(a) DEFINITIONS.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301), as amended by section 5(c) of this Act, is amended by adding at the end thereof the following:

''(12) SUSPENSION.—The term 'suspension' includes within its meaning the revocation of a boxing license.''.

*(b) RENEWAL PERIOD FOR IDENTIFICATION CARDS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305(b)(2)) is amended by striking ''2 years.'' and inserting ''4 years.''.*

[(b)] *(c)* STATE BOXING COMMISSION PROCEDURES.—Section 7(a)(2) of such Act (15 U.S.C. 6306(a)(2)) is amended—

(1) by striking ''or'' in subparagraph (C);

(2) by striking ''documents.'' at the end of subparagraph (D) and inserting ''documents; or''; and

(3) adding at the end thereof the following:

''(E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.''.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the committee amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Committee amendments were agreed to.

AMENDMENT NO. 1368

(Purpose: To incorporate a number of changes suggested by the Attorney General, and for other purposes)

Mr. SESSIONS. Mr. President, Senator MCCAIN has an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama (Mr. SESSIONS), for Mr. MCCAIN, proposes an amendment numbered 1368.

The amendment is as follows:

On page 5, line 2, before ''The'' insert ''(a) IN GENERAL.—''.

On page 9, between lines 17 and 18, insert the following:

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to contracts executed after the date of enactment of this Act.

On page 9, line 25, strike ''by''.

On page 10, beginning in line 3, strike ''that sanctions professional boxing matches on an interstate basis''.

On page 11, line 2, strike ''within 14 days''.

On page 11, line 4, insert ''within 5 business days'' before ''mail''.

On page 11, line 8, strike ''post a copy, within the 14-day period,'' and insert ''immediately post a copy''.

On page 11, line 14, strike ''Commissions.'' and insert ''Commissions if the organization does not have an address for the boxer or does not have an Internet website or homepage.

On page 12, line 20, strike ''ALTERNATIVE.—In lieu of'' and insert ''POSTING.—In addition to''.

On page 12, line 23, strike ''may'' and insert ''shall''.

On page 15, line 1, strike ''by''.

On page 18, line 11, after ''9(b),'' insert ''9(c),''.

On page 18, line 15, strike ''the violations occur'' and insert ''a violation occurs''.

On page 18, beginning in line 17, strike ''such additional amount as the court finds appropriate,'' and insert ''an additional amount which bears the same ratio to $100,000 as the amount of the gross revenues in excess of $2,000,000 bears to $2,000,000,''.

On page 18, line 19, strike ''and''.

On page 18, between lines 19 and 20, insert the following:

(3) striking in ''section 9'' in paragraph (3), as redesignated, and inserting ''section 9(a)''; and

On page 18, line 20, strike ''(3)'' and insert ''(4)''.

On page 19, line 4, strike ''which the practice involves;'' and insert ''that involves such practices;''.

On page 19, line 15, strike the closing quotation marks and the second period.

On page 19, between lines 15 and 16, insert the following:

''(e) ENFORCEMENT AGAINST FEDERAL TRADE COMMISSION, STATE ATTORNEYS GENERAL, ETC.—Nothing in this Act authorizes the enforcement of—

''(1) any provision of this Act against the Federal Trade Commission, the United States Attorney General, the chief legal officer of any State for acting or failing to act in an official capacity;

''(2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or

''(3) section 15 against a boxer acting in his capacity as a boxer.''.

On page 20, line 5, strike ''amended—'' and insert ''amended by—''.

On page 20, line 6, strike ''by''.

On page 20, line 7, strike ''by''.

Mr. SESSIONS. Mr. President, I ask unanimous consent the amendment be considered as read and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1368) was agreed to.

AMENDMENT NO. 1369

(Purpose: To establish contract requirements for broadcasting)

Mr. SESSIONS. Mr. President, there is a second amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama (Mr. SESSIONS), for Mr. REID, proposes an amendment numbered 1369.

The amendment is as follows:

On page 18, line 11, strike ''or 17'' and insert 17, or 18''.

On page 20, after line 13, insert the following:

**SEC. 9. REQUIREMENTS FOR CONTRACTS BETWEEN BOXERS AND BROADCASTING COMPANIES.**

(a) IN GENERAL.—The Professional Boxing Safety Act of 1996 (15 U.S.C. 1603 et seq.), as amended by section 6, is amended—

(1) by redesignating section 18, as redesignated by section 6 of this Act, as section 19; and

(2) by inserting after section 17 the following:

**''SEC. 18. CONTRACTS BETWEEN BOXERS AND BROADCASTING COMPANIES.**

''(a) CONTRACT REQUIREMENTS.—Any contract between a boxer and a broadcaster for the broadcast of a boxing match in which that boxer is competing shall—

''(1) include mutual obligations between the parties; and

''(2) specify either—

''(A) the number of bouts to be broadcast; or

''(B) the duration of the contract.

''(b) PROHIBITIONS.—A broadcaster may not—

''(1) require a boxer to employ a relative or associate of the broadcaster in any capacity as a condition of entering into a contract with the broadcaster;

''(2) have a direct or indirect financial interest in the boxer's manager or management company; or

''(3) make a payment, or provide other consideration (other than of a de minimus amount or value) to a sanctioning organization or any officer or employee of such an organization in connection with any boxer with whom the broadcaster has a contract, or against whom a boxer with whom is broadcaster has a contract is competing.

''(c) NOTIFICATION OF REDUCTION IN AGREED AMOUNT.—If a broadcaster has a contract with a boxer to broadcast a match in which that boxer is competing, and the broadcaster reduces the amount it agreed to pay the boxer under that contact (whether unilaterally or by mutual agreement), the broadcaster shall notify, in writing within 48 hours after the reduction, the supervising State commission for that match of the reduction.

''(d) ENFORCEMENT.—

''(1) CONTRACT.—A provision in a contract between a broadcaster and a boxer that violates subsection (a) is contrary to public policy and unenforceable at law.

''(2) PROHIBITIONS; NOTIFICATION.—For enforcement of subsections (b) and (c), see section 10.''.

(b) BROADCASTER DEFINED.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301), as amended by section 8 of this Act, is amended by adding at the end thereof the following:

''(13) BROADCASTER.—The term 'broadcaster' means any person who is a licensee as that term is defined in section 3(24) of the Communications Act of 1934 (47 U.S.C. 153(24)).''.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1369) was agreed to.

AMENDMENT NO. 1370

(Purpose: To standardize the physical examinations that each boxer must take before each professional boxing match and to require a brain CAT scan every two years as a requirement for licensing a boxer)

Mr. SESSIONS. Mr. President, there is a final amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama (Mr. SESSIONS), for Mr. MOYNIHAN, proposes an amendment numbered 1370.

The amendment is as follows:

On page 20, after line 13, add the following:

(d) STANDARDIZED PHYSICAL EXAMINATIONS.—Section 5(1) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6304(1)) is amended by inserting after ''examination'' the following: '', based on guidelines endorsed by the American Medical Association, including a circulo-respiratory check and a neurological examination,''.

(e) CAT SCANS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305(b)(2)) is amended by inserting before the period the following: ''and, with respect to such renewal, present proof from a physician that such boxer has taken a computerized axial tomography (CAT) scan within the 30-day period preceding that date on which the renewal application is submitted and that no brain damage from boxing has been detected''.

Mr. MOYNIHAN. Mr. President, on January 3, 1999, Jerry Quarry, a perennial heavyweight boxing champion contender in the 1960's and 1970's, died of pneumonia brought on by an advanced state of dementia pugilistica. He was 53. The Professional Boxing Safety Act of 1996 was an excellent step toward making professional boxing safer for its participants. Nevertheless, it contains several gaps.

The amendment I proposed here today is aimed at protecting professional fighters by requiring more rigorous prefight physical examinations and by requiring a brain catscan before a boxer can renew his or her professional license.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1370) was agreed to.

The bill (S. 305), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

## ORDERS FOR WEDNESDAY, JULY 28, 1999

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, July 28. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. SESSIONS. For the information of all Senators, the Senate will reconvene tomorrow morning at 9:30 a.m. In accordance with a previous order, the Senate will begin a cloture vote on the substitute amendment to the juvenile justice bill at 9:45 a.m. Following the vote, it is the intention of the majority leader to begin consideration of the reconciliation bill. By statute, the reconciliation bill is limited to 20 hours of debate, and therefore it is hoped that the Senate can make significant progress on that bill on Wednesday. It is expected that the Senate will complete action on that legislation on Thursday, or Friday, if necessary.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:33 p.m., adjourned until Wednesday, July 28, 1999 at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate July 27, 1999:

### DEPARTMENT OF COMMERCE

ANNE H. CHASSER, OF OHIO, TO BE AN ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS, VICE LAWRENCE J. GOFFNEY, JR., RESIGNED.

### THE JUDICIARY

BRIAN THEADORE STEWART, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH VICE J. THOMAS GREENE, RETIRED.

PETRESE B. TUCKER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA VICE THOMAS N. O'NEILL, JR., RETIRED.

### FEDERAL TRADE COMMISSION

THOMAS B. LEARY, OF THE DISTRICT OF COLUMBIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 1998, VICE MARY L. AZCUENAGA, RESIGNED.

# EXTENSIONS OF REMARKS

## THE INTRODUCTION OF THE MEDICARE GLAUCOMA DETECTION ACT OF 1999

### HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. FOLEY. Mr. Speaker, I am pleased to introduce the Medicare Glaucoma Detection Act of 1999 today. Although it is not a disease that is always at the forefront of our attention, glaucoma is a significant cause of legal blindness in this country. An estimated 80,000 Americans are blind because of this disease. Alarmingly, at least two million individuals have glaucoma and estimates show that at least half of them are not aware of it.

Medical science has shown that glaucoma can be prevented or delayed through early diagnosis and treatment. Preliminary data indicates that early detection in many cases can lead to treatment through pharmaceutical intervention rather than through surgery. I see no reason that America's seniors should risk losing their sight, and consequently their independence, from glaucoma if we can effectively identify and treat this disease early. Unfortunately, current Medicare coverage of glaucoma testing is inadequate. Current coverage is only available for those who show clearly identifiable symptoms of the disease. However, for many people, this could be too late.

The Medicare Glaucoma Detection Act will expand coverage of glaucoma testing to include all Medicare patients 65 and older, Medicare-eligible individuals aged 60 to 64 who have a family history of glaucoma and other high risk populations identified by the Secretary of Health and Human Services. Covered services will include a series of tests which must be performed in combination by an ophthalmologist in order to successfully detect the disease.

Preventive care, like early disease testing, has proven to be highly effective in reducing the seriousness of many diseases and in improving the recovery time and quality of life for those who suffer from them. It only makes sense that coverage of glaucoma testing should be expanded in light of the known value of preventive care. Therefore, I would encourage my colleagues to join me in supporting this bill.

## RECOGNITION OF S. 76, THE TRAFFIC ENFORCEMENT STATISTICS BILL AS INTRODUCED BY STATE SENATOR FRANK W. BALANCE, JR., RALEIGH, NORTH CAROLINA

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. ETHERIDGE. Mr. Speaker, as a strong proponent of equal enforcement and protections under the law, I rise today to call the attention of the Congress to North Carolina Senate Bill (SB) 76, ''Traffic Enforcement Statistics'' legislation introduced by North Carolina State Senator and Deputy President Pro Tempore Frank W. Balance, Jr. Governor James B. Hunt of North Carolina signed SB 76 into law on April 22, 1999.

SB 76 will greatly assist in determining whether minorities are treated fairly by highway patrols along North Carolina roads and highways by requiring troopers to record the race, age and sex of every driver stopped as well as to cite the reason for particular stops. The collected data will be presented by the Attorney General's Office in a biennial report to the General Assembly. As the chief sponsor of the bill, Senator Balance argued that ''there should not be a crime called 'driving while black.' ''

Mr. Speaker, SB 76 can serve as a viable model for other states experiencing similar concerns about equal enforcement of traffic laws as well as for our nation. To provide you with more detailed information regarding this important legislation, I am submitting the text of SB 76 along with an article from the Raleigh News & Observer. I encourage my colleagues to read this article and consider SB 76's applicability for your states and on the federal level.

## ELECTRONIC DISCLOSURES DELIVERY ACT OF 1999

### HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. LAZIO. Mr. Speaker, Today, I join Congresswoman ROUKEMA and Congressman INSLEE in introducing, The Electronic Disclosures Delivery Act of 1999. The legislation addresses the rapidly increasing role of computers and telecommunications technology in the delivery of financial products and services of all kinds. Providing financial services such as mortgages, insurance and securities over the Internet is redefining the banking and investment industries and promises to be an area of explosive growth over the next five years.

The legislation only addresses electronic delivery of information to and from consumers and financial services providers. It does not affect the rights and responsibilities of any party or the content of any disclosure, including both the timing and format of disclosures and the information to be provided. The bill makes it possible for these disclosures to be given to the consumer efficiently and in a more user friendly format than is currently the practice. Over the Internet, consumers will be able to conduct transactions virtually anywhere and at any time, 7-days-a-week, 24-hours-a-day. Internet commerce will increase consumer convenience, through reduced costs and more ''one-stop shopping.''

Many of the federal laws that regulate mortgage transactions, including the Real Estate Settlement Procedures Act (RESPA), mandate the delivery of disclosures to consumers. However, in most cases, these laws were adopted to apply to face-to-face or paper transactions, and do not easily accommodate on-line transactions. RESPA is a statute that has not been free from controversy—many would argue that substantive provisions of that law are in need of clarification. However, the legislation that we are introducing today focuses only on the electronic delivery of disclosures. I believe that the on-line delivery of disclosures deserves review apart from the overall RESPA reform.

Let me give you a sense of the impact of the Internet on the financial services industry:

International Data Corporation forecasts that total worldwide commerce on the Internet will grow from an estimated $32.4 billion in 1997 to an estimated $425.7 billlion in 2002.

According to Jupiter Communications, the number of on-line banking households in the United States is projected to grow from an estimated 4.5 million in 1997 to an estimated 17.1 million in 2002. Jupiter Communications further indicates that the percentage of these on-line banking households utilizing Internet banking is projected to rise from an estimated 8 percent in 1996 to an estimated 80 percent in 2000.

A recent Forrester Research, Inc. report indicates that by the year 2003, nearly $100 billlion or 10 percent of the mortgage market will be generated online, while other reports project the market share for Internet originations to be as high as 30 percent by the year 2005.

The Forrester study also indicated that in the view of the financial services industry one of the principal impediments to progress in the offering of mortgages over the Internet is outdated laws and regulations.

The Congress and the regulators must play a leadership role in updating many of the consumer protection laws to reflect new technologies and establish a coherent legislative framework to deliver financial services and products through electronic commerce. As chairman of the Housing Subcommittee I look forward to working with Congresswoman ROUKEMA and Congressman INSLEE to promote these legislative changes that will enhance consumer access to financial products while maintaining appropriate consumer protections.

## THE NAVY AND VIEQUES

### HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. HALL of Ohio. Mr. Speaker, in April, U.S. F–18 fighter jets accidentally dropped two 500-pound bombs on an observation post nearly a mile from their target on the Puerto Rican island of Vieques, killing a civilian and wounding four others. Although Vieques has housed a naval live-fire training facility for over 50 years, there are 9,300 civilians who live on the island.

The following research memorandum was authored by Rebecca Brezenoff, a Research Fellow with the Washington-based Council on Hemispheric Affairs (COHA). This timely and pertinent article investigates the issues and delves into the history of naval operations on the island of Vieques:

Washington now finds itself embroiled in a sticky problem on the little-known Puerto Rican Island of Vieques, the site of one of its more perplexing public relations nightmares. Recent tragic events resulting from the military's continuing use of most of the heavily inhabited but relatively small island as a live-weapons storage and training facility present the Clinton Administration with a growing need to reevaluate its policies there. The increasingly militant demonstrations now being staged in Puerto Rico against the Vieques facility and the unity of the Puerto Rican population on the issue suggest that the problem will not go way, but requires some hard decisions now.

The island-municipality, located just off Puerto Rico's southeastern coast, once again emerged into the national news following its latest fatal accident in April, when two Marine fighter jets on a night training run over Vieques missed their mark by a mile and dropped bombs near an observation post, killing a civilian security guard and injuring four other people. Certainly not the first serious incident to have afflicted the training facility, it is one that is likely to remain in the headlines as it prompts heated debate among citizen groups and government leaders, both here and in Puerto Rico. For decades, civilians on the island have suffered the effects of friendly fire. This time, a propitious moment may be at hand for the Pentagon to review its options and have the wisdom to dismantle the base.

The Navy's primary argument in favor of Vieques' continued use has been the unparalleled importance of the live-ammunition training grounds for military readiness. The facility has been used by U.S. military personnel since 1941, when the Navy expropriated more than two-thirds of the 51-square-mile island for weapons storage and for ordinance training, involving bombings, shellings, and mock invasions.

Vieques' usefulness is indisputable. But the Navy is not the island's only tenant; a permanent community of 9,300 inhabitants occupies one-third of it. It would be disingenuous to argue that the naval presence is not detrimental to the lives and livelihoods of the local population. Far from it. This week, the Navy admitted, after years of denials, to dropping 24 napalm bombs on Vieques in 1993. In February of this year, depleted uranium (believed to be linked to Gulf War Syndrome) was illegally discharged by Marine jets during a training exercise. On an island plagued by a cancer rate significantly higher than that of Puerto Rico, the firing of radioactive shells—only a fifth of which were actually recovered during ''cleanup''—has not inspired confidence in the Navy's pledge of enhanced attention to safety. Nor is the local populace reassured by current plans to install a powerful anti-drug trafficking radar system, whose electromagnetic waves would be capable of reaching the mainland of South America.

Faced with encroaching environmental damage, stunted economic development due to declines in the fishing and tourism industries, crushing unemployment, the constant pounding of heavy artillery and the drone of low-flying aircraft, damage to building caused by vibrations from war games, and the ongoing danger of bombing accidents from ships and planes, Viequenses have been both figuratively and literally raked by all branches of the military. And not just the U.S. military. The participation of foreign armed forces as well as commercial entities has been solicited—even via advertisements on the Navy's website—for a price. The fees collected in 1998 alone amounted to $80 million, but the increased bombing volume further strained the island's economy and worsened living conditions.

For all the Navy's purported efforts to be a good neighbor to the Viequenses, it words and deeds are today viewed with mistrust. Assurances that the accidentally discharged depleted uranium and the electromagnetic frequencies of the powerful anti-drug trafficking radar pose no threat to human health are dismissed as inaccurate, if not deliberately misleading. Shortly after the mid-May announcement that the Navy would be returning a portion of its land on Vieques to civilian jurisdiction, a fisherman found a 12-foot torpedo near the island's main town. Even the U.S. panel recently established to conduct a thorough study of the Navy's presence on Vieques is seen by skeptics as weighted toward the armed forces—only one of its four members comes from a civilian background. The unfortunate combination of military mistakes and miscalculations, together with questionable judgments and belated admissions, has created for the U.S. authorities a situation as ominous as the unexploded bombs and missiles that often appear on the beaches of Vieques. With the integrity of the inquiry already called into question, Washington will face the difficult task of defending any decision that falls short of completely phasing out the facility.

Short of the forced relocation of over 9,000 people, no modification to the current program can adequately safeguard the residents of Vieques, whereas locating a viable substitute—an unoccupied island—and installing a new training facility, while difficult and costly, remains feasible. The Pentagon has had to reject plans for bases in other locations for such reasons as proximity to population centers and the periodic presence of federally protected migratory birds. Regardless of the recommendations due in August from the commission examine future military use of the island, the White House cannot allow itself to give any less consideration to Vieques' population. Continued live-ordnance target practice on a heavily inhabited island is indefensible, and it is time for the 60-year practice to end.

## HAPPY RETIREMENT TO PATRICK KEOHANE

### HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. BLUNT. Mr. Speaker, I rise today to note the passing of an era in the Federal Bureau of Prisons. Mr. Patrick Keohane will retire August 31 as warden of the Federal Medical Center in Springfield, Missouri. That will mark the end a period of over 30 years in which Warden Keohane or one of his two brothers has been a warden somewhere at a federal prison in the United States. It is reportedly the longest period of similar service of any family in federal prison history.

The Keohane family association with the federal prison system goes back even further to Patrick's father Tom who retired as a senior lieutenant after 31 years of service with the Bureau of Prisons. Tom and his wife Nora raised ten children—six boys and four girls—in Springfield, Missouri. Pat and four of his five brothers served in the military.

It is only fitting that Pat is retiring while warden of the Federal Medical Center in Springfield, because it was in Springfield that he began his civilian career in criminal justice as a member of the Springfield Police Department in 1964. It was only 2 years after beginning work for the Federal Prison System in 1967 as a correctional officer that he was transferred to the Springfield facility in 1969. While there, he completed his degree in law enforcement and corrections in 1974 at Drury College.

Pat Keohane has served with distinction in federal prison facilities in Indiana, Wisconsin, Florida, Pennsylvania, New York, Kansas, and Illinois. He was promoted to warden in 1985 and since then has led facilities in Pennsylvania, Indiana, and California, returning to Springfield, Missouri in 1996.

As I mentioned earlier, service for the Keohanes in the Federal Prison System is a family thing. Two of his older brothers each retired with 27 years of service. In fact, they are the only family in the Nation in which three brothers served as wardens in the Federal Bureau of Prisons, and the only one where two brothers, both served as wardens of the same Federal institution at different times—and they accomplished that on two separate accessions.

Besides his family distinctions, Pat Keohane, has received numerous honors and recognitions, including the 1994 Warden of the Year award from the North American Association of Wardens and Superintendents and the U.S. Attorney General's Award for Distinguished Service from Attorney General Janet Reno.

He is being honored later this week at dinner in his hometown in the Seventh District of Missouri. I know that my colleagues in the House join with me in expressing their appreciation for a lifetime of outstanding service to the citizens of these great United States and best wishes for a very happy future to Warden Patrick W. Keohane of Springfield, Missouri.

## NATO'S OBLIGATION TO THE SERBS

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. FRANK of Massachusetts. Mr. Speaker, in the Boston Globe for today, Tuesday, July 27, there is an excellent editorial occasioned by the terrible murder of 14 Serb farmers in Kosovo. As the editorial notes, NATO—with the United States as a lead member—has an absolute obligation to do everything humanly possible to apprehend the murderers of these men, and of course an even greater obligation to do everything humanly possible to prevent any recurrence of this sort of outrage.

I believe that the military action in which America took the lead against Serbia was morally justified by the need to prevent the continued systematic oppression of the Albania population of Kosovo. But exactly the same moral considerations demand that we do a better job than we have of protecting the Serbian people left in Kosovo.

The Boston Globe editorial is a forceful, lucid and morally compelling statement and I ask that it be printed here.

NATO'S OBLIGATION TO THE SERBS

Precisely because NATO's justification for intervention in Kosovo was humanitarian, the NATO allies must not allow Friday's gruesome slaughter of 14 Serb peasants in Kosovo to go unpunished. A war for humanitarian motives contradicts its own purpose if it leaves one group of noncombatants unprotected.

The Serb demagogue Slobodan Milosevic understood immediately the political implications of the murders. The next day he said the slaughter of Serbs in a province that NATO still recognizes as an integral part of Serbia proves that there is a need for Yugoslav soldiers and Milosevics special police to return to Kosovo.

Such a return of Milosevic's ethnic cleansers would, of course, vitiate NATO's military triumph. Milosevic can have no illusions about the possibility that his killers and rapists will be allowed any time soon to return to Kosovo. But his political point is well taken. If Serb civilians can be massacred at will in Kosovo, then NATO's propaganda is negated and the allies' war against Milosevic can be described as a naked power grab—an effort to steal a Serb province from its rightful owners.

To prove this was not NATO's war aim, the allies keeping the peace in Kosovo and the UN bureaucrats managing the province's rehabilitation must act quickly and decisively.

Although Hashim Thaci, the Kosovo Liberation Army's self-appointed prime minister, has said members of his provisional government ''strongly condemn this act,'' the KLA must be encouraged to take a public role in locating the killers of the 14 Serbs. At the same time, the NATO countries must send to Kosovo the full complement of peacekeepers they promised. At present, only 60 percent of the 32,000 have arrived.

The revenge killings also illustrate the need for rapid dispatch of 3,000 more international police. Only 170, a small fraction of those committed, are yet serving in Kosovo. If the NATO allies allow Serbs to be murdered and expelled from Kosovo, they will lose in peacetime the war they thought they won from the air.

## IN MEMORY OF WILLIAM WILSON STERRETT

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. SKELTON. Mr. Speaker, it has come to my attention that William Wilson Sterrett, of Independence, Missouri, passed away on June 20, 1999.

Born June 15, 1909, in Slater, Missouri, Mr. Sterrett was the son of the late Joseph B. and Elizabeth Galdwell Sterrett. He married Rachel W. Finch on December 19, 1936, in Washington, DC.

Mr. Sterrett was a 1926 graduate of Slater Higher School and a 1930 graduate of Missouri Valley College in Marshall. He attended the University of Missouri-Columbia for two years and graduated from George Washington, University Law School in 1935. He served as Deputy Circuit Clerk of Saline County from 1932–1934. He passed the Bar in December 1934 and practiced law in Saline County for 53 yeas at Sterrett Law Office. He was secretary to Congressman William Nelson in Washington, DC, from 1934–40. He was with the General Accounting Office in Washington, DC, for two years, the War Production board for a year, and the Air Transport Command for two years. He returned to Slater in 1946 where he served as city attorney from 1946–1981.

Mr. Sterret was active in the community. He served as chairman of the Saline County Red Cross and on the Slater Public School board from 1948–52. He was a member, deacon, trustee, elder and Sunday school teacher at the Slater Presbyterian Church. He was president of the Saline County Bar Association from 1983–91 and vice president from 1991–93. He was a longtime member of the Slater Rotary club where he was a past president and the club's first Paul Harris Fellow in 1995. He was a United States Army/Air Corps veteran of World War II and a member of the American Legion Post #78 in Slater. He was a Boy Scout Counselor since 1950 and received the Missouri Valley College Outstanding Alumnus Award in 1996. He served on the board of directors at the State Bank of Slater for 53 years.

Mr. Speaker, I know the Members of the House will join me in extending heartfelt condolences to his wife, Rachel; his two sons, Joseph and James; and his three grandchildren.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

SPEECH OF

### HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 22, 1999*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes:

Mr. NETHERCUTT. Mr. Chairman, in my previous statement in support of H.R. 2561, I addressed the much needed funds for KC–135 tanker aircraft that this bill provides. It is my hope that the Air Force will look at locating these reengined National Guard aircraft consistent with ongoing total force initiatives to maximize Guard and Active efficiencies through enhanced integration and commonality of equipment.

I am also supportive of the quality of life initiatives contained in this legislation. We have provided for significant increases in spare parts, $453 million over the request, equipment repair, $279 million over the request, and real property maintenance, $854 million over the request. We also provide an additional $88 million for soldier support equipment, such as cold weather clothing and initial issue equipment. Spare parts, well-maintained facilities and quality equipment is as important to a soldier's morale as a pay raise, and this bill meets both requirements.

As Chairman of the Diabetes Caucus, I am pleased that the bill also supports a continuing project with the Joslin Diabetes Center, which serves to enhance the lives of military personnel and their dependents. The partnership with Joslin will reduce human suffering and health care costs associated with diabetes for DOD personnel and VA beneficiaries, using strengths in the areas of research, detection, prevention and managed care protocols.

This legislation will meet critical modernization and quality of life needs and deserves the support of all members.

## IN MEMORY OF THE LATE BETTY LOU STEVENSON

### HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. ROYCE. Mr. Speaker, I would like to honor the memory of Betty Lou Stevenson by submitting the following article from the Fullerton Observer, honoring her ''life of inspiration'', for the RECORD.

[From the Fullerton Observer, Issue Number 322, July 1999]

BETTY LOU STEVENSON—A LIFE OF INSPIRATION

''Service Above Self'' best summarizes the extraordinary life of Betty Lou Stevenson. Over 300 community members attended her memorial at St. Andrews Episcopal Church in Fullerton on June 7, 1999 to honor her enormous contributions and positive, energetic spirit. She was very proud of her Scottish heritage and a bagpiper performed at her memorial service. Those in attendance also learned some of the following about this remarkable lady.

Betty Lou was born in Portland, Oregon. Her father being a construction engineer, the family moved on average of once a year, meaning Betty Lou was perpetually the ''new student'' in school. She learned to ''go with the flow'' and be comfortable in almost any social situation Betty Lou attended the University of Oregon from 1937–40, where as President of her Chi Omega sorority and of the Heads of Houses she was listed in Who's Who in America Universities and Colleges (1939–40). Upon graduating from college, Betty Lou and her family moved to Fullerton. The town has never been the same.

Many of Betty Lou's accomplishments occurred while acting in the capacity of single parent to her two sons after her 19-year marriage ended in divorce. While holding down her full-time teaching positions, donating hours of volunteer time and being a single mother she somehow managed to attend night school classes at Whittier College ultimately earning her Master's degree.

Betty Lou Stevenson loved teaching. During her 35 years as a 7th grade math teacher a minimum of 5,000 students passed through her classes and achieved success. Irving Wright, Betty Lou's principal at Wilshire Jr. High, spoke for most of those who knew her when he stated that he admired her tremendously and considered her a wonderful lady. In addition to teaching math at both Wilshire and Nicholas Junior Highs, Betty Lou worked on the yearly Christmas program. Her tireless devotion to her students, school and fellow staff, earned her recognition from the school board for ''Distinguished Service to the Fullerton School District.''

In 1972 Betty Lou became President of the Fullerton Elementary Teachers Association (FETA). The only walkout in the history of the Fullerton School District occurred the following year. A key factor in the resolution of the negotiations impasse was her participation and leadership.

Volunteering was an essential part of Betty Lou's life. She was a charter member and supporter of the Heritage House at the Fullerton Arboretum spending many a Sunday as a docent, sharing her love of Victorian history with visitors. During the week

she often led tours through the House for school groups. Betty Lou loved working at the Heritage House because it reminded her of her happy childhood in Portland and the house that she was born in, which still stands today in a historical neighborhood. Betty Lou also served as a docent for the Art Alliance at Cal State Fullerton, leading groups of high school students through the art galleries.

Upon her retirement Betty Lou devoted even more time to her volunteer efforts. She kept a daily calendar by her telephone to keep track of all her activities. As her calendar shows, being involved in up to four separate activities in one day was not unusual. At the time of her death, she was an active member in 9 major organizations, including the California Retired Teachers Association; PEO; Continuing Learning Experience at Cal State; Delta Kappa Gamma; charter member of AAUW. In all these groups Betty Lou served as President and helped out in any way she was needed, from serving as an officer to serving on the clean-up committee. In short, Betty Lou was a truly dedicated volunteer.

Betty Lou had many varied interests from her decorated egg collection featured in an exhibit at the library, to bridge, to reading and traveling to learn about different cultures. Betty Lou was stylish and hats were one of her trademarks. At St. Andrew's church where she was a member for over 50 years, she was affectionately referred to as the ''hat lady.'' She organized and worked in the parish Clothes Closet from its inception in 1986 distributing clothes to the homeless.

Some of the essence of Betty Lou can be understood from her own words in 1998. Thararat Charconsonthichai, a graduate student at Cal State who extensively interviewed Betty Lou for ''The Life Story of Elizabeth Louise Stevenson,'' said, ''Optimism, or the belief that whatever happens will be good, is the essential theme she employed in explaining herself and her life to me.'' Betty Lou put it this way: ''I am an optimist even when I face troubles. I was disappointed that my marriage did not work. That was difficult for me. But I never looked at the bad side. I am basically not a down person. Of course I have disappointments; we all have those. But I always look for something that helps. Nowadays it is not easy to live without an education, especially for women. Women should develop skills to help themselves if such a thing as divorce happens.'' Betty Lou's career as a teacher and lifelong volunteer for groups with educational missions, underscored her commitment to seeing ideal realized.

At the memorial service, the eulogy was delivered by Father Mark Shier, Rector of St. Andrews. Most fittingly, at the conclusion the audience rose and gave a standing ovation for the life of Betty Lou Stevenson—a life from which we can all gain inspiration.

The family asks that in lieu of flowers donations in Betty Lou's name be made to Fullerton Arboretum or CLE.

## IN MEMORY OF THE LATE MRS. ERIS L. RUDMAN

### HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. WELLER. Mr. Speaker, I rise today to honor Mrs. Eris L. Rudman and the preserved prairie named in her memory located in Frankfort, Illinois.

Forty-five years ago, Mrs. Rudman made Frankfort, Illinois her home. She had just served our country in the Korean War as 1st Lieutenant in the U.S. Army Nursing Corps and received combat decoration while serving in an evacuation hospital. Upon arriving in Frankfort, Mrs. Rudman actively developed and maintained the village's first park long before it was acquired officially by the park district. She also indulged in gardening and the people of Frankfort can still appreciate her toils by strolling down Nebraska and Locust streets and gazing at the crab apple trees she and volunteers had planted years ago.

Her community spirit did not end with the environment. Mrs. Rudman served on the Frankfort Planning Commission for sixteen years. She also played an integral role in the publishing and editing of the Frankfort News, a weekly community newspaper, for twenty-three years. In 1984, Mrs. Rudman was named Frankfort's first Citizen of the Year. She was also Grand Marshall of the Frankfort Fall Festival Parade in 1994. Sadly, Frankfort lost this civic minded patriot three years ago in 1996.

The Eris L. Rudman Prairie in nearly four acres of land located south of the Frankfort Public Library parking lot. It was recently planted with a variety of spring and fall blooming flowers. There are 3,100 plants in all which have been complimented with six different kinds of grasses.

Mr. Speaker, I believe it is fitting and appropriate to honor the life of Mrs. Eris L. Rudman, the years of her community building activity, and the prairie which bares her name.

## HONORING STUART A. VANMEVEREN

### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. SCHAFFER. Mr. Speaker, I rise today not only to extend congratulations to a national figure, but also to tell you how proud I am this honoree hails from, and lives in, my home town of Fort Collins, Colorado. Mr. Stuart A. VanMeveren, the District Attorney who has served Larimer County for twenty-seven years, has been elected the new president of the National District Attorneys' Association (NDAA).

This organization is the largest national professional organization specifically serving the needs of prosecutors in the United States. NDAA is truly a national organization which represents the interests of prosecutors not only from major metropolitan areas, but rural communities like those found in Larimer County.

I have known Stu for fifteen years, but now I'm looking forward to working more closely with him as he directs the NDAA testifying before congressional committees, working with the U.S. Department of Justice, and other federal agencies on matters of public policy affecting the safety of America's communities.

The National District Attorneys Association is going into its fiftieth year of service. I cannot think of a more qualified individual to lead NDAA into the twenty-first century. Stu VanMeveren truly embodies the mission statement of NDAA which is ''To be the voice of America's prosecutors and to support their efforts to protect the rights and safety of the people.''

## TRIBUTE TO CAPTAIN ALEXANDER J. SABOL ON HIS RETIREMENT FROM THE UNITED STATES NAVAL RESERVE

### HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. MOLLOHAN. Mr. Speaker, I rise today to honor Captain Alexander J. Sabol for his distinguished career and retirement from the United States Naval Reserve.

Captain Alexander J. Sabol was born in Stuebenville, OH, on December 14, 1952. He was raised in the steel town of Weirton, WV, and graduated from Weir Senior High School in 1970. In December 1974, he graduated from West Liberty State College, WV, with a bachelor of science degree in business administration with a speciality in marketing.

Captain Sabol entered the Navy through the Aviation Reserve Officer Candidate Program at Pensacola, FL, in August 1974 and was commissioned an ensign on April 1975. He was assigned to training squadrons VT–1, VT–2, HT–8, and HT–18 at NAS Whiting Field, FL, from March 1975 to July 1976 and earned his wings and was designated a naval aviator in July 1976.

Captain Sabol served his first tour as a T–28B/C instructor pilot and ground safety officer from August 1976 to September 1978. In September 1984, he transferred to HM–12, NAS Norfolk, VA, as a pilot under instruction to qualify in the RH–53D, Sea Scallion helicopter to conduct missions in Airborne Mine Countermeasures. From April 1979 through February 1981, he served his first Fleet tour with HM–16, NAS Norfolk, VA performing duties as communications officer and avionics/weapons officer. He then transferred to shore duty in February 1981 to HM–12, NAS Norfolk, VA, and served as a RH–53D instructor pilot, assistant operations officer, RH–53D NATOPS officer, RH–53D model manager, COMNAVAIRLANT RH–53D NATOPS evaluator, and assistant maintenance officer until October 1985. He also served in a temporary duty status as the HM class desk to COMHELTACWING ONE, NAS Norfolk, VA, from April 1984 until November 1984.

Captain Sabol joined the Naval Reserve and was selected for the Training and Administration of the Reserves Program in October 1985 where he was assigned to the Naval Air Reserve Norfolk, VA, as the HM program manager and the naval air coordinator for the establishment of HM–18. In September 1986, he was assigned to HM–18 as operations officer, security officer, and RH–53D NATOPS officer. He then transferred to COMHELWINGRES, NAS North Island, CA as the first HM class desk, COMNAVAIRESFOR RH–53D NATOPS evaluator, and the Naval Air Reserve coordinator for the establishment of HM–19 from November 1987 to June 1989. He then was assigned as the officer-in-charge of HM–18, Norfolk, VA, from June 1989 to July 1991. From July 1991 to December 1993, he served as the executive officer and later as the commanding officer of HM–19, NAS Alameda, CA. He then attended the Naval War College, Newport, RI, from December 1993 until March 1995 and received a master of arts degree in national security and strategy and policy.

He then received orders to the staff of the Chief of Naval Operations, Director of Naval

Reserves in the Pentagon, Washington, DC, from March 1987 to November 1996 serving as the Manpower Branch head and then late as the Director, Manpower, Personnel, Training, and Mobilization. In November 1996, he was assigned to the Office of the Assistant Secretary of Defense for Reserve Affairs in the Materiel and Facilities Deputate as the Director of Materiel.

Among his awards and decorations are the Meritorious Service Medal with one star, Navy Commendation Medal with one star, Navy Achievement Medal, navy Unit Commendation with one star, Meritorious Unit Commendation with two stars, Battle ''E'' ribbon with two ''E''s, Navy Expeditionary Medal with one star, National Defense Service Medal, Sea Service Deployment Ribbon with one star, and Armed Forces Reserve Medal with Bronze Hour Glass. He was appointed to the rank of captain on 01 August 1996.

Captain Sabol resides in Centerville, VA, with his wife Anne, also of Weirton, WV, and their two children, Bryon (19) and Alexis (16).

## BICENTENNIAL OF RAVENNA, OHIO

### HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. SAWYER. Mr. Speaker, 1999 is a special year for Ravenna, Ohio. In 1799, on the cusp of a new century, Benjamin Tappan became the first settler of what is now Ravenna, in Portage County. The bicentennial of that humble beginning is being celebrated and commemorated throughout the year.

In many ways, Benjamin Tappan demonstrated in one person the diverse talents that have been so instrumental in America's growth. And, in much the same way, the story of Ravenna is the story of America.

Benjamin Tappan apprenticed as a copperplate printer and engraver and studied portrait painting under Gilbert Stuart. He practiced law, served in the World War of 1812, and served in public life as a state senator, judge, canal commissioner, and U.S. Senator. He was, by all accounts, an independent thinker, an opponent of slavery, and a man of immense talents and principle. In short, an American archetype.

Just as Benjamin Tappan's life was characteristic of the early settlers of the wilderness that was Ohio, Ravenna's history is one of growth, adaptation, pride, and hard work.

In the 1820's, Ravenna benefitted from construction of the Pennsylvania and Ohio Canal, popularly known as ''The Cross Cut,'' running from Akron to the Ohio River.

As technology and transportation changed, so did Ravenna. Beginning in the 1850's, the railroads arrived, gradually supplanting the canals. In the years following the Civil War, assisted by the railroads, Ravenna emerged as a manufacturing center. From glassworks to coaches, from woolen mills to cereal mills, and from foundries to rubber, Ravenna has made the tools that built America, the fabric that clothed America, the cereal that fed America, and the balloons that brightened America.

Today, access to both rail and highway transportation has helped Ravenna to attract and maintain industry, even as the region and the nation changed.

It could be said, Mr. Speaker, that there is nothing very special in any of this. Many towns, cities, and regions have changed as the nation and the economy have changed. But it is this apparent familiarity that makes Ravenna special—a community able to maintain its sense of self, its pride of achievement, celebrating its past while looking to the future. Like Benjamin Tappan, as American archetype.

The calendar of events marking this bicentennial is remarkable for its breadth, variety, and sense of fun. Two hundred trees have been planted to mark Ravenna's 200th birthday. There have been presentations of local history, workshops on making memory scrapbooks, a horse show, proclamations, and a golf outing. Still to come are a concert, a parade, fireworks, an art show, a raffle, trolley tours, and the 21st annual ''Balloon-A-Fair,'' a continuing celebration of Ravenna's pride in its lighter-than-air heritage. In short, even as Ravenna celebrates, it cheerfully demonstrates the adage that ''it's great to visit the past, but you don't have to live there to enjoy it.'' The past and the future share a home in Ravenna, Ohio.

At 200, Ravenna has a full, rich heritage, and on the cusp of another new century, the promise of even better things to come.

## IN RECOGNITION OF THE AMERICORPS YOUTH PRIDE PROGRAM

### HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. DEUTSCH. Mr. Speaker, I rise today to recognize the devoted men and women of the AmeriCorps Youth Pride Program. Youth Pride Program volunteers tutor and mentor 250 low-income youth to help ensure academic achievement in Florida City, Florida. It is both an honor and a privilege for me to pay tribute to such a noble effort.

In addition to helping these students with their academics, the Youth Pride Program provides after-school activities to approximately 350 students. With a 90% decrease in school suspensions and detentions among those served, the success rate of this after school program has been outstanding.

The Youth Pride Program is part of AmeriCorps, a national network of hundreds of community service groups throughout the United States. When President Clinton created AmeriCorps, he spoke about the virtue of service to the community. Like many Americans, I strongly believe that volunteerism provides extensive benefits to volunteer, recipients, and the community at large.

Throughout our nation's history, we have relied on the dedication and action of our citizens to tackle the biggest challenges. I am pleased to say that the AmeriCorps Youth Pride Program adds to this revered tradition. I wish to congratulate the entire staff and volunteer network of the Youth Pride Program on a job well done. This is truly an achievement of which the entire South Florida community can be proud.

## COMMENDING ADAM JONES FOR HIS SERVICE AS A REPUBLICAN PAGE

### HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. KNOLLENBERG. Mr. Speaker, I rise today to commend Adam Jones on the completion of his service as a Republican page in the House of Representatives.

During his tenure in the nation's capital, Adam proved himself to be a reliable and tireless worker. His work ethic and attention to detail helped ensure that the trains ran on time in the House of Representatives, and he will surely be missed by the individuals he worked closely with over the last year.

Adam is an outstanding young man and an excellent student. He has compiled a grade point average of 3.79 at Northville High School, where he has assumed numerous leadership positions. In addition, Adam has volunteered his time to work on several political campaigns in Oakland and Wayne Counties and has been active in his church.

I am honored that I had the opportunity to nominate Adam for the Republican page program. He capitalized on this wonderful opportunity to work and learn in our nation's capital and enhanced his understanding of politics and the legislative process.

I have the utmost confidence that Adam will continue to achieve success in the endeavors he pursues, and I wish him the very best during his senior year at Northville High.

## PERSONAL EXPLANATION

### HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. TAYLOR of North Carolina. Mr. Speaker, due to an unforeseen airline delay enroute to Washington, I was not present to vote on rollcall vote No. 335, the Hoeffel amendment to H.R. 1074. Had I been present, I would have voted ''no'' on this amendment. I was also unable to vote on rollcall vote No. 336 on passage of H.R. 1074. Had I been present, I would have voted ''aye'' on this recorded vote.

## CONGRATULATING PAT CAMPANILE'S STUDENTS AT SHADY LANE ELEMENTARY

### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. ANDREWS. Mr. Speaker, I rise today to commemorate a great day, on which 30 sixth grade students from the Shady Lane Elementary School reached all of the appropriate levels on their Terra Nova test. Ms. Pat Campanile's sixth grade class is an outstanding group of young people. I wish the best of luck to the following group of sixth graders who shared this special day with me at the Shady Lane School: Courtney Callahan, Nicholas Battee, Jaimie Beeker, Destiny Bingham,

Brian Buck, John Childress, Robert Kilcourse, Kody McMichael, Marisa Peters, Matthew Raively, Deborah Robinson, Karen Sabater, Donald Smith, Richard Smith, Marcus Smith, Ayana Thomas, Jessica Welch, George Williams, and Nylan Wolcott.

## PERSONAL EXPLANATION

### HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. KENNEDY of Rhode Island. Mr. Speaker, last week I was not able to be present for rollcall votes 308–334. Had I been present, I would have voted the following way: 308—''yea''; 309—''yea''; 310—''yea''; 311—''yea''; 312—''yea''; 313—''no''; 314—''no''; 315—''no''; 316—''yea''; 317—''yea''; 318—''yea''; 319—''yea''; 320—''no''; 321—''yea''; 322—''yea''; 323—''yea''; 324—''no''; 325—''yea''; 326—''yea''; 327—''yea''; 328—''yea''; 329—''yea''; 330—''no''; 331—''yea''; 332—''yea''; 333—''no''; 334—''yea.''

## RECOGNIZING BISHOP MACRAM MAX GASSIS

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 27, 1999*

Mr. WOLF. Mr. Speaker, I am submitting for the RECORD an article from the recent Washington Watch by the Family Research Council about Bishop Macram Max Gassis, a Roman Catholic bishop from Sudan. Over the years, Bishop Macram has tirelessly fought for justice for his people—the people of Southern Sudan and the Nuba Mountains who have suffered and died in great numbers during the war that has plagued the country for the past fifteen years.

Over 2 million people have died in Sudan—more than in Rwanda, Kosovo, Somalia and Bosnia combined. They often feel they are forgotten by the world.

Bishop Macram reminds us that these men, women and children must not be forgotten. He reminds us of their brave spirit, their hope in the midst of suffering and their quest for justice. He reminds us of our responsibility to speak out, take action and do what we can to help the people of Sudan.

I have been privileged to know Bishop Macram over the years.

A GENTLE GIANT OF FAITH

(By Bill Saunders)

In Sudan, just south of Egypt, where the church traces its roots to Apostolic times, a radical Islamic government is waging war on its own citizens—torturing and murdering Christians. In this war, the government regularly bombs innocent civilians, destroys their food supplies, poisons their only sources of clean water, desecrates their churches, supports the taking of their children as slaves, and forces non-Arab, non-Muslim people into refugee camps where they must convert to Islam or starve.

For years, the world has done little to help. The U.N. has allowed the Sudanese government to dictate where it can provide relief (thus, the most needy people starve). Until recently, the U.S. focused little diplomatic effort on the problem, despite Sudan's strategic position as a bridge between black Africa and the Middle East, and despite the Sudanese government's avowed aim of exporting radical Islam throughout the world. Only recently, the House of Representatives passed a stinging resolution, finally and fairly condemning these practices by the Sudanese government. Senator Sam Brownback has introduced a similar resolution in the Senate but it remains to be seen whether the House will vote to take substantive action.

In the midst of this man-made hell on earth, one man stands out as he fights for justice. That man is Catholic Bishop Macram Max Gassis. Born in Sudan of ethnically mixed parents and educated in England, Italy, and the United States, the Bishop is an articulate modern-day prophet. The only Sudanese bishop born in the northern (Arab) part of the country, he is fluent in the Arabic language and understands those in the North who see all blacks as ''slaves'' and all Christians as ''infidels''.

Unlike so many others, he refuses to pretend the horror does not exist. He has spoken out before the European Parliament, the U.S. Congress, and the United Nations Human Rights Commission. He travels regularly to the West, particularly to the United States, to expose the evil in his country. His witness has inspired many, from Senator Brownbeck to Congressman Frank Wolf. He, like St. Paul, has spoken the truth to kings and governors.

In Sudan, the people revere Bishop Gassis for his courage. The government, angry that he has called it to account, has branded him a criminal. Whenever he travels back to his country, he risks being captured and possibly executed.

Undaunted, he returns to his diocese because his people need him. His presence inspires them. Every time he returns, he smuggles desperately needed supplies through enemy lines. In many areas, he is the only one providing assistance.

Despite his tribulations, the Bishop remains a gentle man, firmly committed to Christ. He has a special affection for children, particularly those children who were formerly enslaved, and is raising several hundred of them, orphaned by the raiders who abducted them. These children need food, clothing, shelter, education, and counseling, and he provides it. Because of this expression of Christian love, the children are joyful and, like Bishop Gassis, full of hope.

Christianity in Sudan, its ancestral home, is alive and growing. The church, through heroes like Bishop Gassis, refuses to be silenced. As he says, ''though we in Sudan are being crucified, after every crucifixion, there comes a resurrection.''

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

SPEECH OF

### HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 22, 1999*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes:

Mr. KINGSTON. Mr. Chairman, the House Department of Defense Appropriations Bill for FY00 provides an extremely important allocation of resources in a serious effort to improve critical shortcomings affecting the readiness of our armed forces. This bill meets the budget authority and outlay limits set in the Committee's 302(b) allocation, provides a critical $15.5 billion increase over appropriations in FY99, and provides $2.8 billion above the President's request. This legislation goes a long way to address critical readiness, recruitment, retention, operational maintenance, and quality of life needs that are so important for our military. However, I am concerned about one aspect of the legislation's strategy, cutting programmed funding for the initial production of the Air Force's number one development priority, the F–22, Raptor.

We expect our military to remain the world's best, head and shoulders above any potential aggressor. We demand that our armed forces reign supreme in personnel, training, professionalism, and equipment. We do not want parity with our enemies, we demand superiority. We do not want to win conflicts by attrition but by overwhelming our foes. A most critical aspect of our superiority is our ability to achieve and maintain air superiority in any conflict. Furthermore, today Americans have grown to expect to win conflicts with minimal or even no casualties. The best trained pilots in the most advanced aircraft are the great enabler in any conflict whether to protect our Navy, or to allow the introduction and free maneuver of our ground forces. Air superiority is vital. Experience in modern warfare has continued to reflect the importance of this from success in World War II to operations during Desert Storm and Operation Allied Force.

The F–22 aircraft is being produced to replace the F–15 fighter and to accomplish its air superiority mission beginning in 2005. The F–15 currently represents 1960's technology and the aging fleet will average 26 years old when the F–22 is scheduled to be operational. Today's F–15's have served our country well, but in the future our pilots will be at risk. Its capabilities today are at parity with the Russian SU–27, MIG–29 and by 2005 will be at a disadvantage facing the Russian SU–35 or the French Rafael, and the European Fighter 2000 aircraft that will be available on the world market. Additionally, the surface to air missile threat continues to advance world wide. Today the SA–10 and SA–12 missile availability pose a threat to the F–15. Proliferation of SA–10 and SA–12 capability has increased from four countries in 1985 to fourteen in 1995 and an estimated 22 by 2005. The F–22 will have the capability to counter the surface to air missile threat through stealth technology, supercruise capability that will significantly reduce missile engagement opportunity, maneuverability and unequaled pilot awareness.

The F–22 aircraft does bear costs, $19 billion has been invested to date, but the cost and advanced technology provide significant efficiencies and long term savings. The F–22 will reduce by half the number of maintenance personnel for each aircraft. It is expected to have 30 percent reduction in direct operations and sustainment costs per squadron per year when compared to the F–15. A quicker combat turnaround time will allow higher sortie rates during a conflict. The F–22 program costs are under control and are within the Congressionally mandated cost caps for both development and production. This plane utilizes cutting edge technology to ensure our Air Force continues to maintain our nation's superiority in air combat.

Based upon the status of the current F–22 program, a pause in funding the F–22 procurement requested for FY00 would put the entire program at serious risk. Contract obligations would be breached if aircraft procurement is not funded. This would result in at least a three year delay in the program, would increase costs by $6–8 billion, and exceed the caps set by Congress. The production delay could seriously affect numerous suppliers that could not afford to stop and restart production causing significant erosion of the program's industrial base. Such a pause would seriously disrupt an intricate supply system established in all but a few states.

A pause or end of the F–22 program would have a very negative impact on the future of an important complementary aircraft, the Joint Strike Fighter (JSF). The JSF also under development is being designed as a multi-role aircraft for three services to replace the capabilities of the F–16 and A–10 fleet, with fielding goals in FY10. It is being developed to perform as an air-to ground combat aircraft to complement the air-to-air combat role of the F–22. The characteristics of these planes will differ greatly. If the F–22 program is killed, the U.S. will have a void in the capabilities required by the F–22, the action could cause great changes to JSF, or require development of a whole new kind of aircraft all of which would delay the fielding of the JSF. Additionally, the JSF leverages certain technologies from the F–22, including avionics and engines that use the F–22 as a stepping stone for advancements. Setback of the F–22 program will degrade progress on the JSF. Ultimately, this action could place our air supremacy capability in extreme danger.

Finally, as the F–22 harnesses and employs superb, advanced technology, the development and testing of the aircraft does the same. Flight testing of two test aircraft has proceeded well. Avionics testing has been ongoing through three bench labs and one flying test bed, a 757 aircraft with all avionics including a full cockpit from an F–22. Advanced computer models have also enhanced the ability to hone the technical aspects of the plane. Nine aircraft are funded in the Engineering and Manufacturing Development (EMD) phase of this program. All nine aircraft will be delivered by FY01. Production aircraft that have been requested by the Air Force to be funded in FY00 will not complete production until FY03. This low rate initial production is necessary to efficiently utilize the open delivery line. Testing will be 90% complete and initial operational testing and evaluation will complete in mid-year 2003. This program minimizes risks and employs efficiency and responsible costing to meet delivery milestones. When compared with previous aircraft production such as the F–15 and F–16, the F–22 minimizes, by a large degree, the number of production aircraft during the EMD phase.

In closing, the House Department of Defense Appropriations Bill for FY00 is a good bill that will provide relief for many aspects of our services needs. It goes far to take care of the men and women who serve in America's Army, Navy, Air Force, and Marine Corps. I will vote in favor of this legislation, but with apprehension that this bill does an injustice to the number one Air Force development priority and a critical Department of Defense program that has vital implications on how we remain the undisputed air superiority and air supremacy power in the world.

AMENDMENT TO THE FISCAL YEAR 2000 DEFENSE APPROPRIATIONS BILL OFFERED BY MR. KINGSTON

In the ''AIRCRAFT PROCUREMENT, AIR FORCE'' account (beginning at page 29, line 11 of the committee print), increase the pending amount by $630,297,000, representing an increase of $1,852,075,000 in the F–22 aircraft program and a decrease of $1,221,778,000 in other programs.

In the ''AIRCRAFT PROCUREMENT, NAVY'' account (beginning at page 25, line 3 of the committee print), reduce the pending amount by $387,897,000.

In the ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'' account (beginning at page 35, line 14 of the committee print), reduce the pending amount by $242,400,000.

And amend the committee report accordingly.

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DETAILED AMENDMENTS FOR THE COMMITTEE REPORT

CHANGE: INCREASE THE FOLLOWING LINES AS SPECIFIED

Aircraft, Procurement, Air Force. (Report page 173).

Tactical Forces (in thousands of dollars);
F–22 Raptor: $1,574,981.
F–22 Raptor (AP–CY): $277,094.
Total: $1,852,075.

OFFSETS: REDUCE THE FOLLOWING LINES AS SPECIFIED

*Title III Procurement*

Air Force Procurement (in thousands of dollars)

Combat Aircraft (Report page 173).
Tactical Forces:
F–15: $440,000.
F–16 C/D (MYP): $98.000.
F–16 C/D (MYP) ADV PROC: $24,000.
Mission Support Aircraft:
Operational Support Aircraft: $63,000.
E–8C: $188,200.
Predator UAV: $20,000.
Modification of Inservice Aircraft:
B–1B: $16,650.
A–10: $5,000.
F–15: $58,328.
F–16: $46,000.
C–135: $137,800.
DARP: $124,800.

Aircraft Procurement, Navy

Other Aircraft (Report Page 148).
KC–130J: $281,897.
Modification of Aircraft:
EA–6 Series: $66,000.
AH–1 W Series: $3,000.
H–1 Series: $10,000.
EP–3 Series: $17,000.
P–3 Series: $10,000.

*Title IV, Research, Development, Test and Evaluation*

RDT&E, Air Force (Rpt page 248)

Demonstration & Validation (In thousands of dollars):
Joint Strike Fighter: $100,000.
Engineering & Manufacturing Development (In thousands of dollars):
B–2 Advanced Technology Bomber: $142,400.

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WHY WE NEED THE F–22

THREAT

Need F–22 to counter future and current surface-to-air missile (SA 10/12) threats. The F–15 cannot operate in this environment by itself.

21 countries expected to posses SA 10/12's (advanced SAMS) by 2005.

237 of world's 267 nations have surface to air missiles.

There will be a five fold increase in the number of countries with radar guided air to air missiles.

As many as 700 MIG–21's may be upgraded between 1995 and 2000.

F–15 began service in early 1970's (almost 25 years ago).

When F–22 becomes operational in FY06, the F–15 will average 26 years old.

When JSF becomes operational in FY10, the F–16 will be 24 years old.

30–40 year old F–15's put our pilots at risk.

Today the F–15 is just at parity with the SU–27 and MIG–29.

By 2005 the F–15 will be disadvantage to the SU–35 and the export versions of the Rafale and European Fighter 2000.

Air to air missiles are proliferating and becoming more capable.

IMPACT OF SLIPPING PROGRAM

3 year delay in program, voids contracts, and kills program.

This is not a pause, it kills the production program.

Increase in costs breaks the contract price and the Congressional costs caps.

Increases Air Force costs by $6.5 billion.

Set back for Army's number one priority the Commanche helicopter since they have some common systems).

$16 billion already invested to date.

Loss of industrial base to support F–22 program.

Upgrading the F–15 would cost about $26 million per plane.

F–22

F–22 replaces the F–15 for all weather superiority and deep attack.

Increased capabilities: stealth, supercruise, maneuverability, avionics, weapons playload.

First look, first shot, first kill against multiple targets.

Flight tests have gone well.

Cost are controlled, costs are within funding caps set by Congress.

The F–22 will reduce by half the number of maintenance personnel for each aircraft.

F–22 will cost $500 million less to operate and support over 20 years than an F–15 squadron.

F–15 afterburner operations are limited to 5–7 minutes, F–22 can operate at supercruise for a significant period of time without afterburners.

20% lower combat turnaround time for the F–22/higher sorties rate.

Lower deployment requirements (14 C–17s to deploy F–15 vs. 4C–17s for F–22).

JSF

JSF leverages technologies from the F–22 (avionics, engines).

JSF is a multi-role air to ground fighter to complement (not replace) the air-to-air role of F–22.

JSF replaces the F–16 and A–10 and meets requirements for other military services.

Without the F–22, the requirements for JSF change and will delay JSF by several years.

For more information contact Cong. Kingston (5–5831) or Cong. Chambliss (5–6531).

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POINT PAPER ON HAC–D TO F–22 PROCUREMENT

BACKGROUND—WHY THE USAF NEEDS THE F–22

*The 21st Century Force Structure*

The Air Force's modernization strategy is built on the proper mix of ''High'' capability F–22s and ''Low'' cost Joint Strike Fighters (JSF) to achieve the dominant capability and operations tempo to support Joint Vision 2010s goal of full spectrum dominance.

F–22 is the high-capability force enabler designed to accomplish the most demanding missions of air superiority and attack of high-value, highly defended targets.

A combination of stealth, supercruise, integrated avionics, and larger internal air-to-

air weapons payload are its primary attributes.

The JSF is the low-cost majority of the force—balance of affordability and capability allows procurement of greater numbers to perform a variety of missions and sustain the required high tempo of modern warfare.

*JSF Will Rely on the F–22 for Air Superiority*

JSF will modernize the largest part of our fleet providing an affordable replacement for the F–16 and A–10.

JSF is dependent upon F–22 technologies and will complement the F–22 in the future as the F–16 complements the F–15 today.

*The Need for the F–22*

Joint Vision 2010 requires the Air Force to achieve Air Dominance—the ability to completely control adversary's vertical battlespace.

The current air superiority fighter, the F–15, is at parity today with the SU–27 and MIG–29; by IOC for F–22 in 2005, the F–15 will be at a disadvantage with the fielding of the SU–35 and export versions of the Rafale and Typhoon, and the proliferation of advanced air-to-missiles such as the AA–11, AA–X–12, and MICA.

The development and proliferation of advanced surface-to-air missiles (SAMs) such as the SA–10 and SA–12 result in a sanctuary for the enemy because the F–15 will be unable to operate in this environment without a protracted, asset intensive, defense suppression campaign.

F—22's attributes of stealth, supercruise, and integrated avionics will allow it to operate in the presence of the total threat—emerging threat aircraft, advanced SAMs, and advanced air-to-missiles.

Provides American forces the freedom from attack, freedom to maneuver and freedom to attack.

*The Time is Now*

The current Air Force fighter modernization program is an affordable and effective solution demanded by the increasing age of our current fighter force structure.

By F–22 IOC in 2005, the average age of the F–15 will be 26 years old.

By JSF IOC in 2010, the average age of the F–16 will be 24 years old.

F–22 is an essential investment to achieve air dominance—the key enabler for 21st Century Combat Operations.

DISCUSSION—IMPACT OF THE HAC–D REDUCTION ON THE CURRENT F–22 PROGRAM

The proposed reduction of the F–22 funding has a net impact of terminating the current production program and increases total Air Force costs by $6.5 Billion (does *not* include costs for Service Life Extension of F–15 to accommodate 2 year slip to F–22 Initial Operational Capability).

*Termination of the Current Production Program*

The current F–22 production strategy to procure all 339 aircraft within the Congressional Cost cap of $39.8B Key elements of this strategy are: Fixed price options for the PRTV and Lot 1; Target Price Curve (TPC) for Lots 2–5; and Multi-year contracts for lots 5–12.

Impact: Termination of the Lot 1 buy voids the fixed price agreement for the PRTV/Lot 1 buy and contractually requires termination of the PRTV aircraft buy. This in turn breaks the TPC and results in a production cost increase over the Congressional cost caps. A new production strategy initiated in FY02 with an 8 aircraft buy (requires Advance Buy in FY01) and a new production profile (8, 10, 16, 24, 36) results in a production cost increase of $5.3B, which breaks the Congressionally mandated production cost cap of $39.8B.

*Extension of the EMD Program by 15 Months*

The cancellation of the PRTV aircraft drives the requirement to retrofit the EMD aircraft to a production configuration for dedicated initial operational test and evaluation, which would have been accomplished by the PRTVs.

An additional $500M is required for EMD to fund for Out-of-Production parts associated with these aircraft due to the lack of an active production program.

Impact: With the EMD stretchout and above considerations the total cost impact to the EMD program is $1.2B, which breaks Congressionally mandated EMD cost cap of $18.8B.

*Delay to Initial Operating Capability (IOC)*

F–22 IOC is currently scheduled for December 2005, the change to the production profile would delay IOC (stand up of the first F–22 squadron) to Dec 2007.

Delay in IOC would force the Air Force to execute an F–15 Service Life Extension Program (SLEP) on one Fighter Wing (72 aircraft).

# *Daily Digest*

# Senate

## *Chamber Action*

*Routine Proceedings, pages S9315–S9448*

Measures Introduced: Nine bills and four resolutions were introduced, as follows: S. 1438–1446, and S. Res. 164–167. **Page S9378**

Measures Reported: Reports were made as follows:

S. 1076, to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, education, and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, with an amendment in the nature of a substitute. (S. Rept. No. 106–122) **Page S9378**

Measures Passed:

*In Memory of Senior Judge Frank M. Johnson, Jr.:* Senate agreed to S. Res. 165, in memory of Senior Judge Frank M. Johnson, Jr. of the United States Court of Appeals for the Eleventh Circuit. **Page S9346**

*Small Business Financial Assistance:* Senate passed S. 918, to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, after agreeing to a committee amendment in the nature of a substitute. **Pages S9441–44**

*Route 66 Corridor Preservation:* Senate passed H.R. 66, to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance, cleared for the President. **Page S9444**

*Muhammad Ali Boxing Reform Act:* Senate passed S. 305, to reform unfair and anticompetitive practices in the professional boxing industry, after agreeing to the following amendments proposed thereto: **Pages S9444–47**

Sessions (for McCain) Amendment No. 1368, to incorporate a number of changes suggested by the Attorney General. **Pages S9446–47**

Sessions (for Reid) Amendment No. 1369, to establish contract requirements for broadcasting. **Page S9447**

Sessions (for Moynihan) Amendment No. 1370, to standardize the physical examinations that each boxer must take before each professional boxing match and to require a brain CAT scan every 2 years as a requirement for licensing a boxer. **Page S9447**

Department of the Interior Appropriations: Senate began consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, taking action on the following amendments proposed thereto: **Pages S9348–70**

Adopted:

Gorton Amendment No. 1357, in the nature of a substitute. **Page S9348**

Rejected:

Murray Amendment No. 1360, to strike certain provisions relating to millsite limitations. (By 55 yeas to 41 nays (Vote No. 223), Senate tabled the amendment.) **Pages S9354–69**

Subsequently, the Reid Amendment No. 1361 (to Amendment No. 1360), to provide for a prohibition on millsite limitations, fell when Amendment No. 1360 (listed above) was tabled. **Pages S9355–70**

Pending:

Gorton Amendment No. 1359, of a technical nature. **Page S9354**

A unanimous-consent agreement was reached providing for the consideration of the bill and amendments to be proposed thereto.

Nominations Received: Senate received the following nominations:

Anne H. Chasser, of Ohio, to be an Assistant Commissioner of Patents and Trademarks.

Brian Theadore Stewart, of Utah, to be United States District Judge for the District of Utah.

Petrese B. Tucker, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Thomas B. Leary, of the District of Columbia, to be a Federal Trade Commissioner for the term of seven years from September 26, 1998. **Page S9448**

Messages From the House: **Page S9376**

Measures Referred: Page S9376
Communications: Pages S9376–78
Statements on Introduced Bills: Pages S9378–94
Additional Cosponsors: Pages S9394–95
Amendments Submitted: Pages S9398–S9416
Authority for Committees: Page S9416
Additional Statements: Pages S9416–19
Text of S. 1217 as Previously Passed: Pages S9419–41

Record Votes: One record vote was taken today. (Total—223) Page S9369

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:33 p.m., until 9:30 a.m., on Wednesday, July 28, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9447.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## AGRICULTURAL CONCENTRATION AND ANTI-TRUST

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded hearings to examine anti-trust implications of consolidation and concentration in production agriculture and agribusiness, focusing on monopoly, monopsony, new technology, and the Cargill and Continental Grains mergers, after receiving testimony from Senator Dorgan; Joel I. Klein, Assistant Attorney General, Antitrust Division, Department of Justice; Michael V. Dunn, Under Secretary for Marketing and Regulatory Programs, James Baker, Administrator, Grain Inspection, Packers and Stockyards Administration, and Betsey Kuhn, Director, Food and Rural Economics Division, Economic Research Service, all of the Department of Agriculture; John Crabtree, Center for Rural Affairs, Walthill, Nebraska; William C. MacLeod, Collier, Shannon, Rill and Scott, Washington, D.C., on behalf of the Grocery Manufacturers of America; and Robert White, Kenton, Ohio, on behalf of the National Farmers Union.

## INTERNET PRIVACY

*Committee on Commerce, Science, and Transportation:* Subcommittee on Communications concluded hearings on privacy issues on the Internet, and S. 809, to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about private individuals who are not covered by the Children's Online Privacy Protection Act of 1998 on the Internet, to provide greater individual control over the collection and use of that information, after receiving testimony from Robert Pitofsky, Chairman, Sheila F. Anthony, Commissioner, Orson Swindle, Commissioner, and Mozelle W. Thompson, Commissioner, all of the Federal Trade Commission; and Jill Lesser, America Online, Deirdre Mulligan, Center for Democracy and Technology, Marc Rotenberg, Electronic Privacy Information Center, and Christine Varney, Hogan and Hartson, on behalf of the Online Privacy Alliance, all of Washington, D.C.

## LAND MANAGEMENT AND CONVEYANCE BILLS

*Committee on Energy and Natural Resources:* Subcommittee on Forests and Public Land Management concluded hearings on S. 1288, to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, S. 719, to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, S. 930, to provide for the sale of certain public land in the Ivanpah Valley, Nevada, to the Clark County, Nevada, Department of Aviation, S. 1374, to authorize the development and maintenance of a multiagency campus project in the town of Jackson, Wyoming, S. 1030, to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws, and S. 439, to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, after receiving testimony from Senators Reid and Bryan; Representative Gibbons; John Reynolds, Regional Director, Pacific West Region, National Park Service, and Larry Finfer, assistant Director of Communications, Bureau of Land Management, both of the Department of the Interior; Ron Stewart, Deputy Chief, Programs and Legislation, Forest Service, Department of Agriculture; Nevada State Senator Dean Rhoads, Tuscarora, Nevada; Max Cordova, Los Siete, Truchas, New Mexico, on behalf of the Truchas Land Grant; Thomas R. Jervis, New Mexico Audubon Council, Los Alamos, New Mexico, on behalf of the Southwest Forest Alliance, the Southwest Center for Biological Diversity, and the National Audubon Society-New Mexico; Melissa Savage, Four Corners Institute, Santa Fe, New Mexico; Scott Anderson, Town Council, Jackson, Wyoming; and Randall H. Walker, Clark County Department of Aviation, Las Vegas, Nevada.

BUSINESS MEETING

*Committee on Environment and Public Works:* Committee began markup of S. 1090, to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980, but did not complete action thereon, and will meet again on Tuesday, August 3.

BREAST/CERVICAL CANCER MEDICAL ASSISTANCE

*Committee on Finance:* Subcommittee on Health Care held hearings on S.662, to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, receiving testimony from Senator Mikulski; Barbara D. Matula, North Carolina Medical Society Foundation, Raleigh; Marlene McCarthy, National Breast Cancer Coalition, Washington, D.C.; Carolyn Tapp, Women of Color Breast Cancer Survivors Support Project, Los Angeles, California; Barbara Flett, Women's Health Partnership of Suffolk County, Buffalo, New York; and Marilyn Almond, Providence, Rhode Island.

Hearings recessed subject to call.

AFRICA TRADE AND INVESTMENT BARRIERS

*Committee on Foreign Relations:* Committee held hearings to examine barriers to trade and investment in Africa, receiving testimony from Robert L. Mallett, Deputy Secretary of Commerce; Jeffrey Sachs, Harvard University Center for International Development, Cambridge, Massachusetts; and Kim Jaycox, AIG Africa Infrastructure Fund, Chester Crocker, Georgetown University, and Walter Kansteiner, Scowcroft Group, all of Washington, D.C.

Hearings recessed subject to call.

DEPARTMENT OF JUSTICE CRIMINAL DIVISION

*Committee on the Judiciary:* Subcommittee on Criminal Justice Oversight concluded oversight hearings on the responsibilities and activities of the Criminal Division of the Department of Justice, after receiving testimony from James K. Robinson, Assistant Attorney General, Criminal Division, Department of Justice.

CHILD CARE INNOVATIONS

*Committee on Health, Education, Labor, and Pensions:* Committee concluded hearings on innovations that are being made to help improve the quality and supply of child care, after receiving testimony from Carole Black, Lifetime Television, and Ellen Galinsky, Families and Work Institute, both of New York, New York; Yasmina S. Vinci, National Association of Child Care Resource and Referral Agencies, Washington, D.C.; Amanda O'Neill, Educare Colorado, Denver; Sue Russell, Child Care Services Association, Chapel Hill, North Carolina; Elaine Fersh, Parents United for Child Care, Boston, Massachusetts; Eva Marie Saint, Los Angeles, California; and Barrie Brigham, Burlington, Vermont.

# House of Representatives

## *Chamber Action*

Bills Introduced: 16 public bills, H.R. 2613–2628; 1 private bill, H.R. 2629; and 2 resolutions, H. Con. Res. 164, and H. Res. 264, were introduced.

**Pages H6581–82**

Reports Filed: Reports were filed today as follows:

H.R. 2031, to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor, amended (H. Rept. 106–265);

Conference report on H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000 (H. Rept. 106–266);

H.R. 2368, to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands (H. Rept. 106–267);

H. Res. 262, waiving points of order against the conference report to accompany H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000 (H. Rept. 106–268); and

H. Res. 263, providing for consideration of H.R. 2606, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000 (H. Rept. 106–269).

**Pages H6475–H6501, H6581**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Wilson to act as Speaker pro tempore for today.

Page H6427

Journal Vote: Agreed to the Speaker's approval of the Journal of Monday, July 26, by a yea and nay vote of 352 yeas to 53 nays with 1 voting ''present'', Roll No. 337. Pages H6433–34

Normal Trade Relations for China: The House failed to pass H.J. Res. 57, disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China, by a yea and nay vote of 170 yeas to 260 nays with 1 voting ''present'', Roll No. 338. Pages H6434–75

The joint resolution was considered pursuant to the unanimous consent agreement of July 22.

Energy and Water Development Appropriations Act: The House passed H.R. 2605, making appropriations for energy and water development for the fiscal year ending September 30, 2000, by a yea and nay vote of 420 yeas to 8 nays, Roll No. 342.

Pages H6509–50

Agreed to:

The Salmon amendment that increases renewable energy funding by $30 million; and Pages H6540–43

The Boehlert amendment that limits regulatory program funding until the Corps of Engineers submits studies and analyses 30 days prior to the final publication of the proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act, and not later than December 30, 1999 (agreed to by a recorded vote of 426 ayes with 1 voting ''no'', Roll No. 340). Pages H6527–29, H6548

Rejected:

The Visclosky amendment that sought to strike provisions requiring the Corps of Engineers to conduct studies and report to Congress prior to the implementation of proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act and specifies that results of a single-level appeal of jurisdictional determinations shall be considered final agency action (rejected by recorded vote of 183 ayes to 245 noes, Roll No. 341).

Pages H6526–27, H6529–36, H6548–49

Points of Order Sustained Against:

Section 506; and Page H6525

Language on page 7 line 7 through page 9 line 2. Page H6536

Withdrawn:

The Dingell amendment was offered, but subsequently withdrawn, that sought to strike language that prohibits any funds to be used to support more than one regional office in each Corps of Engineers division, which office shall serve as divisional headquarters; and Pages H6537–39

The Filner amendment was offered, but subsequently withdrawn, that sought to allocate $50 million in Atomic Energy Defense Activities funding for the removal of residual radioactive material from the Atlas site approximately 3 miles northwest of Moab, Utah, and from the floodplain of the Colorado River for permanent disposition and stabilization in a safe and environmentally sound manner.

Pages H6546–47

H. Res. 261, the rule that provided for consideration of the bill was agreed to earlier by voice vote.

Pages H6505–08

District of Columbia Appropriations Act: The House completed general debate on H.R. 2587, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000.

Pages H6550–58

H. Res. 260, the rule that is providing for consideration of the bill, was agreed to earlier by yea and nay vote of 227 yeas to 201 nays, Roll No. 339.

Pages H6501–05, H6508–09

Honorable George E. Brown, Jr. Funeral Committee: Pursuant to H. Res. 252, the Chair announced that the Speaker's appointment of Members to the Committee to attend the funeral of the late Honorable George E. Brown, Jr. of California will be printed in the Congressional Record. Pages H6558–59

Meeting Hour—Thursday, July 29: Agreed that when the House adjourns today, it adjourn to meet at 10:00 a.m. on Thursday, July 29. Page H6573

Senate Messages: Message received from the Senate appears on page H6430.

Referrals: S. 296 was referred to the Committee on Science, and S. 1402 was referred to the Committee on Veterans' Affairs and the Committee on Armed Services. Page H6580

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H6583–84.

Quorum Calls—Votes: Four yea and nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H6434, H6474–75, H6508–09, H6548, H6548–49, and H6549–50. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 12 midnight on July 27.

# Committee Meetings

## ENERGY POLICY AND CONSERVATION ACT AMENDMENTS

*Committee on Commerce:* Subcommittee on Energy and Power held a hearing on H.R. 623, to amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies. Testimony was from Representative Knollenberg; and public witnesses.

## SECURITIES TRANSACTION FEES—IMPACT OF MARKET VOLATILITY

*Committee on Commerce:* Subcommittee on Finance and Hazardous Materials held a hearing on the Impact of Market Volatility in Securities Transaction Fees. Testimony was heard from public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Commerce:* Subcommittee on Health and Environment approved for full Committee action the following bills: H.R. 2130, amended, Hillory J. Farias Date-Rape Prevention Drug Act of 1999; and H.R. 2506, Health Research and Quality Act of 1999.

## SCHOOL DISTRICT AND SCHOOL BUILDING LEVEL

*Committee on Education and the Workforce:* Held a hearing on Title I: What's Happening at the School District and School Building Level. Testimony was heard from Reid Lyon, Child Development and Behavior Branch, National Institute of Child Health and Human Development, NIH, Department of Health and Human Services; and public witnesses.

## OVERSIGHT—2000 YEAR CENSUS

*Committee on Government Reform:* Subcommittee on Census held a hearing on Oversight of the 2000 Census: Examining the Bureau's Paid Advertising Campaign. Testimony was heard from Kenneth J. Prewitt, Director, Bureau of the Census, Department of Commerce; and public witnesses.

## ADMINISTRATIVE LAW JUDGES PAY ADJUSTMENT; LIFE INSURANCE—FEDERAL EMPLOYEES

*Committee on Government Reform:* Subcommittee on Civil Service approved for full Committee action H.R. 915, to authorize a cost of living adjustment in the pay of administrative law judges.

The Subcommittee also held a hearing on Life Insurance: New Options for Federal Employees. Testimony was heard from William E. Flynn, III, Associate Director, Retirement and Insurance Services, OPM; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Ordered reported, amended, the following bills: H.R. 1752, Federal Courts Improvement Act of 1999; and H.R. 2112, Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 1999.

The Committee also began mark up of H.R. 1875, Interstate Class Action Jurisdiction Act of 1999.

Will continue August 3.

## FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

*Committee on Rules:* Granted, by voice vote, an open rule on H.R. 2606, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule allows that the bill be open to amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions or transfers of funds in a general appropriations bill). The rule provides that before consideration of any other amendment it shall be in order to consider the amendments printed in part A of the Rules Committee report which shall be considered only in the order printed in the report. The rule provides that the amendment printed in part B of the report may be offered only at the appropriate point in the reading of the bill. The rule provides that the amendments printed in the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives all points of order against the amendments printed in the report. The rule allows the chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule further allows 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 Representatives Callahan, Gilman, Smith of New Jersey, Campbell, Deal of Georgia, Greenwood, Pitts and Pelosi.

CONFERENCE REPORT ON MILITARY CONSTRUCTION, FAMILY HOUSING, AND BASE REALIGNMENT, FY 2000

*Committee on Rules* Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and against its consideration. The rule provides that the conference report shall be considered as read.

DIGITAL DIVIDE: BRIDGING THE TECHNOLOGICAL GAP

*Committee on Small Business:* Subcommittee on Empowerment held a hearing to discuss the "The Digital Divide: Bridging The Technological Gap". Testimony was heard from Larry Irving, Assistant Secretary, Communications and Information, Department of Commerce; and public witnesses.

ENFORCEMENT OF REGULATIONS—NEEDLESS REGULATIONS

*Committee on Small Business:* Subcommittee on Government Programs and Oversight held a hearing on the burden that needless regulations and lack of common sense in enforcement of regulations place upon Small Businesses. Testimony was heard from Alan Hartman, Architect of the Capitol; Jay Gullo, Mayor, New Windsor, Maryland; and public witnesses.

NATURAL GAS AND HAZARDOUS LIQUID PIPELINE SAFETY PROGRAM

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation held a hearing on reauthorization of the Natural Gas and Hazardous Liquid Pipeline Safety Program. Testimony was heard from Representative Metcalf; Kelley Coyner, Administrator, Research and Special Programs Administration, Department of Transportation; James E. Hall, Chairman, National Transportation Safety Board; and public witnesses.

TEA 21 ENVIRONMENTAL STREAMLINING PROVISIONS

*Committee on Transportation and Infrastructure:* Subcommittee on Ground Transportation held a hearing on TEA 21 Environmental Streamlining Provisions. Testimony was heard from Eugene Conti, Jr., Assistant Secretary, Transportation Policy, Department of Transportation; Steven A. Herman, Assistant Administrator, Enforcement and Compliance Assurance, EPA; Michael L. Davis, Deputy Assistant Secretary, Army (Civil Works), Policy and Legislation, Corps of Engineers; and public witnesses.

Y2K

*Permanent Select Committee on Intelligence:* Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Y2K. Testimony was heard from departmental witnesses.

# *Joint Meetings*

APPROPRIATIONS—MILITARY CONSTRUCTION

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000.

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## COMMITTEE MEETINGS FOR WEDNESDAY, JULY 28, 1999

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Banking, Housing, and Urban Affairs:* to hold oversight hearings on the Monetary Policy Report to Congress pursuant to the Full Employment and Balanced Growth Act of 1978, 10 a.m., SH–216.

*Committee on Energy and Natural Resources:* business meeting to mark up 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. 244, to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system; S. 1330, to give the city of Mesquite, Nevada, the right to purchase at fair market value certain parcels of public land in the city; and S. 1329, to direct the Secretary of the Interior to convey certain land to Nye County, Nevada, 10 a.m., SD–366.

Subcommittee on Water and Power, to hold hearings on S. 624, to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana; S. 1211, to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner; S. 1275, to authorize the Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam fund; S. 1236, to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State

of Idaho; S. 1377, to amend the Central Utah Project Completion Act regarding the use of funds for water development for the Bonneville Unit; and S. 986, to direct the Secretary of the Interior to convey the Griffith Project to the Southern Nevada Water Authority, 2:30 p.m., SD–366.

*Committee on Foreign Relations:* business meeting to mark up proposed legislation to prevent the further proliferation of nuclear, chemical, and biological weapons; and to authorize appropriations for the provision of security assistance to certain foreign countries; S. 720, to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia; S. Res. 166, a resolution relating to the recent elections in the Republic of Indonesia; S. Con. Res. 48, relating to the Asia-Pacific Economic Cooperation Forum; and pending nominations, 11 a.m., SD–419.

Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings on the activities of the Agency for International Development and United States climate change policy, 2 p.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* business meeting to consider S. Con. Res. 28, urging the Congress and the President to increase funding for the Pell Grant Program and existing Campus-Based Aid Programs; S. 976, to amend title V of the Public Health Service Act to focus the authority of the Substance Abuse and Mental Health Services Administration on community-based services children and adolescents, to enhance flexibility and accountability, to establish programs for youth treatment, and to respond to crises, especially those related to children and violence; and S. 632, to provide assistance for poison prevention and to stabilize the funding of regional poison control centers, and pending nominations, 9:30 a.m., SD–430.

*Committee on Indian Affairs:* to hold hearings on S. 979, to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, 9:30 a.m., SR–485.

*Committee on the Judiciary:* to hold hearings on how to combat methamphetamine proliferation in America, 10 a.m., SD–628.

*Committee on Rules and Administration:* to hold oversight hearings on the operations of the Smithsonian Institution, 9:30 a.m., SR–301.

## House

*Committee on the Judiciary,* oversight hearing on Competitive Issues in Electricity Deregulation, 10 a.m., 2141 Rayburn.

Subcommittee on Courts and Intellectual Property, oversight hearing on Internet Domain Names and Intellectual Property Rights, 10 a.m., 2237 Rayburn.

*Committee on Resources,* hearing on H.R. 2547, to provide for the conveyance of land interests to Chugach, Alaska Corporation to fulfill the intent, purpose, and promise of the Alaska Native Claims Settlement Act, 11 a.m., 1324 Longworth.

*Committee on Transportation and Infrastructure,* Subcommittee on Coast Guard and Maritime Transportation, hearing on H.R. 316, Cruises-to-Nowhere Act of 1999, 10 a.m., 2167 Rayburn.

*Next Meeting of the* SENATE

9:30 a.m., Wednesday, July 28

Senate Chamber

Program for Wednesday: At 9:45 a.m., Senate will vote on the motion to close further debate on Amendment No. 1344 to H.R. 1501, Juvenile Justice; following which, Senate expects to begin consideration of S. 1429, Budget Reconciliation.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 29

House Chamber

Program for Wednesday: The House is not in session.

## Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E1663
Blunt, Roy, Mo., E1660
Deutsch, Peter, Fla., E1663
Etheridge, Bob, N.C., E1659
Foley, Mark, Fla., E1659
Frank, Barney, Mass., E1660
Hall, Tony P., Ohio, E1659
Kennedy, Patrick J., R.I., E1664
Kingston, Jack, Ga., E1664
Knollenberg, Joe, Mich., E1663
Lazio, Rick, N.Y., E1659
Mollohan, Alan B., West Va., E1662
Nethercutt, George R., Jr., Wash., E1661
Royce, Edward R., Calif., E1661
Sawyer, Tom, Ohio, E1663
Schaffer, Bob, Colo., E1662
Skelton, Ike, Mo., E1661
Taylor, Charles H., N.C., E1663
Weller, Jerry, Ill., E1662
Wolf, Frank R., Va., E1664

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