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House of Representatives

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 further consideration of the bill, H.R. 2587.

☐ 1121

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 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. When the Committee of the Whole House rose on Tuesday, July 27, 1999, all time for general debate had expired.

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

The amendments printed in House Report 106–263 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, 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.

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

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

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—FISCAL YEAR 2000 APPROPRIATIONS

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a program to be administered by the Mayor for District of Columbia resident tuition support, subject to the enactment of authorizing legislation for such program by Congress, $17,000,000, to remain available until expended: *Provided,* That such funds shall be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and private institutions of higher education anywhere within the United States: *Provided further,* That the awarding of such funds shall be prioritized on the basis of a resident's academic merit and such other factors as may be authorized.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, $8,500,000: *Provided,* That such funds shall remain available until September 30, 2001 and shall be used in accordance with a program established by the Mayor and the Council of the District of Columbia and approved by the Committees on Appropriations of the House of Representatives and the Senate.

Mr. BILBRAY. Mr. Chairman, I ask unanimous consent to consider my amendment out of order.

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

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. BILBRAY

Mr. BILBRAY. 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 printed in House Report 106–263 offered by Mr. BILBRAY:

Page 65, insert after line 24 the following:

BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

SEC. 167. (a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

(b) EXCEPTIONS.—

(1) POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (a) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

(2) PARTICIPATION IN LAW ENFORCEMENT OPERATION.—Subsection (a) shall not apply with respect to an individual possessing products in the course of a valid, supervised law enforcement operation.

(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

(1) For any violation, the individual may be required to perform community service or attend a tobacco cessation program.

(2) Upon the first violation, the individual shall be subject to a civil penalty not to exceed $50.

(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed $100.

(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.

(d) EFFECTIVE DATE.—This section shall apply during fiscal year 2000 and each succeeding fiscal year.

The CHAIRMAN. Pursuant to House Resolution 260, the gentleman from California (Mr. BILBRAY) and a Member opposed each will control 10 minutes.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.

The Chair recognizes the gentleman from California (Mr. BILBRAY).

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

Mr. Chairman, this year, I reintroduced an amendment to the D.C. bill to specifically address the issue that Washington, D.C. has been and continues to be a sanctuary for underaged consumption and possession of tobacco.

While Washington, D.C. has endeavored to reform and transform itself as quickly as possible on many fronts, it has not addressed the issue that it continues to be the only jurisdiction within hundreds of miles of the Capitol still allowing underaged individuals to consume and possess tobacco products.

I was intending, Mr. Chairman, to ask for a vote on this amendment. The amendment passed overwhelmingly last year and I think sent a clear message not only to Washington, D.C. that this is wrong and inappropriate but to every jurisdiction in the United States and especially to the children of this city and to the children of America, that minor's possession and use of tobacco is not acceptable to this Congress.

Mr. Chairman, I intend to withdraw this motion, and I intend to withdraw it because I have received, on July 27, a letter from Mayor Williams specifically committing to introducing legislation that seeks to prohibit teen tobacco use.

I talked last night with the mayor, Mr. Chairman, and he personally committed to me that he will aggressively pursue this issue. He has stated that he thinks it is an outrage that Congress and Washington has not addressed this issue in the past and overlooked this issue, something that all of us could have done a long time ago.

The mayor agrees with me that, if we are going to stand up and point fingers at businesses and individuals who continue to encourage individuals to smoke, then we have an obligation to point a finger at ourselves and say even those of us in Congress and those of us in Washington have not done our fair share of addressing this hideous problem.

So, Mr. Chairman, I would ask that we give the new mayor of Washington, D.C. a chance to initiate this legislation locally and that we hold this amendment in abeyance for this year and give them the chance to do the right thing that should have been done a long time ago.

I make a personal commitment that I will work with the mayor and the city council, but I also make the personal commitment that if Washington, D.C.'s local government agencies will not do right by the children of this city and by the children that come and visit the city, then I, along with the majority of this body, will take action to alleviate the problem.

I think Mayor Williams has made a sincere request. As an ex-mayor myself, I cannot deny him this chance to make his contribution to eliminating smoking within Washington, D.C. and hopefully setting an example for those other States and other jurisdictions who have not done the same in their area.

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

Ms. NORTON. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. Without objection, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 10 minutes.

There was no objection.

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

Mr. Chairman, I simply rise to thank the gentleman from California (Mr. BILBRAY) for working with me and working with Mayor Williams until we reached a satisfactory accommodation on this matter. I want to assure him that he should not have any doubt that we will, quote, do right by our own children.

All that was necessary was the opportunity for the mayor, who has, after all, had many things on his plate inheriting the kind of government he did, to get to the notion that is close to him as well, to aggressively seek legislation that would deal comprehensively with smoking and tobacco use by children.

I do want to thank the gentleman from California (Mr. BILBRAY), though, for the way in which he pursued this and to indicate to other Members that he went at this matter in a way that was satisfactory to him and to us in the way I most prefer, by simply working with me until we got it right. I appreciate the way in which he worked with me and with the city.

I want to assure other Members that I always stand ready to work, to reach a similar accommodation when they have problems that they want solved in the city.

□ 1130

Mr. MORAN of Virginia. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentlewoman from the District of Columbia (Ms. NORTON), for yielding to me.

Mr. Chairman, I would like to begin as I did in the Appropriations Committee by thanking Chairman ISTOOK for the way he has chaired the D.C. Subcommittee and prepared today's legislation.

He has made a sincere effort to familiarize himself with the affairs of the District of Columbia by walking the city's streets, meeting with Mayor Williams and the City Council on several occasions, and touring the District's schools, its low income housing, the courts and the administrative offices.

I know he shares my observation that many of the challenges and issues confronting the District are identical to those confronting most older urban communities.

At the same time, there are a number of circumstances that make the District unique: it's a creation by Congress under Article I of the U.S. Constitution and the seat of the federal government, it has a large amount of federal property within its boundaries, and its local laws and budget may be subject to congressional review and approval.

The fact that we are considering the District of Columbia Appropriations Act for fiscal Year 2000 reflects the District's unique status.

In reviewing this legislation, let me begin by highlighting some of its positive aspects: it fully funds the consensus budget both the spending priorities and the tax cuts; it provides the federal funding level requested by the administration; in fact, it brings additional federal money to the District's aid, providing $8.5 million for adoption incentives for foster children; $20 million for severance pay for the Mayor's management initiative; more than $13 million for expanded drug treatment programs; $17 million to fund the in-state tuition benefits initiative and close to $20 million to help the Office of Offender Supervision tackle the very serious crime problems caused by repeat offenders; and it helps address a number of city concerns from the operation of the District's courts to the hospitals.

On the whole, this legislation is an improvement over the bill that came before us last year.

With all that said, I must still object to a number of provisions that are in this legislation.

These provisions, known collectively as ''riders,'' prohibit or tie the hands of District officials and its citizens to carry out and implement their own prerogatives.

Perhaps when there was a large direct federal payment to the District's general funds, some could justify prohibiting the District's needle exchange program, its domestic partners' law, or even the counting of ballots on its medical marijuana initiative.

The last direct payment in the fiscal 1999 appropriations act, combined with federal grant assistance, comprised more than 43 percent of the District's budget.

Federal funds could co-mingle with local funds making it difficult to distinguish what was funded locally or with federal taxpayer dollars.

The 1997 Revitalization Act changed all that and eliminated the concern that federal funds could co-mingle with local initiatives deemed inappropriate by a majority in Congress.

For all intents and purposes, the 1997 Act discontinued the direct federal payment to the District's general fund.[1]

Any funds Congress may now appropriate to the general fund are for a specific spending purpose and can only be spent for that purpose.

In return for the elimination of the direct federal payment, the federal government assumed direct financial responsibility for obligations and responsibilities traditionally assumed by state governments.

Instead, the District will receive direct federal grants identical to those received by most local jurisdictions or federal payments to defray the cost of responsibilities assumed by most states and now assumed by the federal government in the case of the District.

[1] Jim, the table on page 22 of the committee report states that $26,950,000 in federal funds go to the District's general funds. While true from an accounting perspective, all $26,950,000 is restricted on how it can be spent: $17 million for in-state tuition, $8.5 million for incentives for adoption, $1.2 million for the Citizens Complaint Review Board, and $250,000 for Human Services.

In this light, adding language prohibiting the District from implementing local initiatives, where no federal funds are involved, is a blatant abuse of congressional power.

Using this bill to prohibit the District from using its resources to fund a needle exchange program, a program proven effective at reducing the spread of AIDS, is no different than Congress passing a law prohibiting needle exchange programs specifically in Oklahoma City, Oklahoma, but permitting other locally funded needle exchange programs elsewhere to continue.

Prohibiting the District of Columbia from expending its use of local funds to provide abortion services for its low-income residents, when other jurisdictions are free to use local funds for similar programs is just plain wrong.

Banning the use of local funds to prohibit the District from seeking redress in federal court on its voting rights claim, is like telling the City of Boerne it could not challenge the ''Religious Freedom Restoration Act'' that it successfully argued before the Supreme Court.

Barring the District from implementing its local domestic partnership law is like Congress passing a law to overturn Wichita, Kansas and Jasper, Alabama's health benefit plan for their public employees, teachers and police officers.

And, preventing the District's election officials from counting the ballot on a local referendum is just plain anti-democratic.

You may object to the use of marijuana for medicinal purposes, but to deny the election result from being tallied is like telling the citizens of Farmington, Missouri or Manchester, New Hampshire they cannot approve their referendums to finance building new schools.

Have we become so arrogant in power and fearful of local initiatives that we have to block election results?

I know some will argue that these riders are merely an extension of current law—they are.

But, the context and circumstances with which Congress might have justified past intervention is now gone with the elimination of the direct federal payment.

Federal taxpayer funds are no longer involved.

We should, therefore, no longer concern ourselves with the actions of one local jurisdiction unless what we choose to do with it is applied equally to all jurisdictions.

If a majority in Congress can accept the Labor-HHS restriction on abortion as a compromise, then this Congress should accept similar language restricting just the use of federal funds on these social riders.

I was pleased to see that a majority of the full committee shared this perspective and approved two amendments that will permit the District to use non-federal funds to count the ballots on its referendum on the medicinal use of marijuana and revive its needle exchange program.

I should also note that the White House opposes these social riders as well.

The White House: strongly opposes the prohibition on the use of both federal and local funds to provide abortion services; objects to a provision prohibiting the use of federal or local funds to implement or enforce the District's Health Care Benefits Expansion Act (Domestic Partners Act); strongly objects to the limit on attorneys' fees in special education cases; and strongly opposes and may veto any bill that includes a prohibition on the use of local funds for needle exchange programs.

I encourage the House to respect the District's right to pursue its own prerogatives with its own funds regardless of how members might feel about the merits of the specific local initiative.

We should refrain from imposing any additional restrictions on the District's use of its own funds and support possible floor amendments that seek to remove those restrictions that still remain.

Now, Mr. Chairman, the gentlewoman from the District of Columbia is absolutely right, and I just want to reiterate her comments.

The amendment of the gentleman from California (Mr. BILBRAY) was intended to do the right thing for the children of the District of Columbia. Tobacco usage is wrong, it is harmful, and we want to work with him to reduce the amount of tobacco smoking on the part of youth, particularly given the fact that almost 3,000 children start smoking, teenagers, every day, and about a thousand of them are going to die as a result.

So we had no objection to the good intentions on the part of the gentleman from California (Mr. BILBRAY). The only problem is the appropriateness of that kind of legislation that normally is considered by the Committee on the Judiciary and in other manners other than the Committee on Appropriations. But, again, we thank him for his amendment. We particularly thank him for withdrawing it at this time, and we certainly want to work with him in other constructive approaches to reduce the amount of tobacco usage in the District.

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

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

Mr. Chairman, I will have inserted into the RECORD at the appropriate place the letters from Mayor Williams, the American Heart Association, and the Campaign for Tobacco-Free Kids, and while introducing these letters, I am hoping that the Mayor is trying to introduce these issues and that he does not run into the opposition from organizations that claim they want to do everything possible to initiate this common sense approach, but mention that one little thing of saying that we will hold everyone responsible, and that individuals, even young people, have to be told quite clearly that they are going to be held responsible for staying away from tobacco products as much as possible.

Mr. Chairman, I am speaking from a position as coming from a local government agency; but I think anyone in this House would realize no State, no jurisdiction is more anti-smoking than the State of California. Some of us call it zealous. Even restaurants and bars do not allow smoking in California. What we found in California was that when a city in my district started enforcing a law against minor possession of tobacco, they found out there was no such law even in California.

So those of us in local government and State government looked around and said, while we have been so busy pointing fingers at others, we have not been asking ourselves what can we do in our jurisdictions. So that is why I am asking that we ask the Federal district to do this, the city council to do this.

Mr. Chairman, I think that this will give us the chance to be able to set an example; and, hopefully today, while we are discussing this, there are mayors, council members and legislators out there who will ask, is it illegal in our jurisdiction; have we done as much to send a clear message to children as Washington, D.C. is committed to doing today?

Mr. Chairman, I hope all of us will look at ourselves and ask what have we done to keep our children away from tobacco; and I think this amendment, when it is passed by the city of D.C., will send that message.

Mr. Chairman, the letters referred to above follow herewith:

JULY 27, 1999.

Hon. BRIAN BILBRAY,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN BILBRAY: Thank you for your July 8th letter regarding your continued efforts to fight the damaging effects of teen smoking and your continuing contact with my staff. While I appreciate and respect your concerns on this issue, and indeed share your goal of greatly reducing the consumption of tobacco by minors, I believe an amendment to the FY 2000 District of Columbia Appropriations would not be the appropriate vehicle. I am asking that you withdraw the proposed amendment and allow elected District officials to pursue the issues.

As our offices have discussed we share a common goal of reducing teen tobacco consumption. In fact, I have often stated that the care and safety of the District's children is my top priority. To this end, I have spoken with Councilmember Sandy Allen, the Chair of the Human Services Committee, and she has agreed to hold a public hearing on the issue of teen smoking as soon as the Council convenes after its recess. In addition, I will introduce legislation that seeks prohibitions on teen tobacco consumption when the City Council returns.

I look forward to your continued support and good wishes. I appreciate your willingness to work with local officials on this issue.

Sincerely,

ANTHONY A. WILLIAMS,
Mayor.

AMERICAN HEART ASSOCIATION, OFFICE OF COMMUNICATIONS AND ADVOCACY,
Washington, DC.

Hon. BRIAN BILBRAY,
Washington, DC.

DEAR REPRESENTATIVE BILBRAY: I am writing to express the concerns of the American Heart Association regarding your possible amendment to the District of Columbia Appropriations bill (H.R. 2587), that would penalize D.C. children who are caught with cigarettes or other tobacco products.

We firmly believe that children who become addicted to tobacco are victims of an industry whose own stated goal is to find

''replacement smokers'' for the hundreds of thousands of people who die each year from using their products. By targeting children with billions in marketing and advertising dollars, the tobacco industry has been very successful in maintaining a customer base, in spite of the 430,000 American deaths from tobacco use each year. Adults in the tobacco industry and retail establishments that facilitate underage marketing of tobacco products—not children—are the ones who need to be penalized. Unfortunately, the United States Congress has a very clear record of letting tobacco companies off the hook.

Because the repercussions of tobacco use are not always immediately apparent to young people, we recognize your motive to provide immediate consequences to children who are caught with tobacco. We are not opposed to finding ways to educate children on the dangers and consequences of tobacco use and we would willingly work with you in the future to accomplish this. However, unless this amendment is part of a comprehensive approach to limit access to tobacco—and punish adults who ignore access restrictions—then we believe it will merely punish the victims of tobacco promotion.

Although I am respectfully asking members to vote against your amendment, I hope there will still be opportunities for us to work together in the future to eliminate underage tobacco use.

Sincerely,

M. CASS WHEELER,
Chief Executive Officer.

CAMPAIGN FOR TOBACCO-FREE KIDS,
Washington, DC, July 27, 1999.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The Campaign for Tobacco-Free Kids opposes the amendment that may be offered later today by Representative Bilbray to the District of Columbia appropriations bill. This amendment would penalize youth for possession of tobacco products without creating a thoughtful, comprehensive plan to reduce tobacco use among children and without first ensuring that adults who illegally sell tobacco to kids are held responsible.

There is no silver bullet to reducing tobacco use among kids, but this amendment, in the absence of other effective policies, will do little to end tobacco's grip on the children of D.C. There is little evidence to indicate that in the absence of a concerted, comprehensive program, penalizing kids will work to reduce tobacco use rates. A comprehensive effective program should include not only vigorous enforcement of laws against selling tobacco to kids but also public education efforts, community and school based programs, and help for smokers who want to quit.

The narrow focus of this amendment will further divert resources away from effective enforcement of the current laws that prohibit retailers from selling to kids. Although the District of Columbia penalizes retailers for selling to kids, this law is not being enforced adequately. According to Department of Health and Human Services, compliance checks showed that 42.3 percent of retailers in D.C. sell tobacco products to minors.

Additionally, this amendment does not address the fact that the tobacco industry spends $5 billion a year marketing its products. Kids in D.C. continually see tobacco ads on storefronts and in magazines. The tobacco industry's marketing tactics work: 85 percent of kids who smoke use the three most heavily advertised brands (Marlboro, Camel and Newport). In addition, the success of the tobacco industry targeted marketing efforts is evidenced by the fact that 75 percent of young African Americans smoke Newport, a brand heavily marketed to this group.

Any discussion of holding children responsible for their addiction to tobacco should only come after or as part of a comprehensive approach, which insures that adults are being held responsible for marketing and selling to children. Therefore, we ask that you oppose this amendment. Thank you.

Sincerely,

MATTHEW L. MYERS,
Executive Vice President.

CAMPAIGN FOR TOBACCO-FREE KIDS,
Washington, DC, August 6, 1998.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: The Campaign for Tobacco-Free Kids opposes the amendment that may be offered later today by Representative Bilbray to the District of Columbia appropriations bill (H.R. 4380). This amendment would penalize youth for possession of tobacco products without creating a thoughtful, comprehensive plan to reduce tobacco use among children and without first ensuring that adults who illegally sell tobacco to kids are held responsible.

There is no silver bullet to reducing tobacco use among kids, but this amendment, in the absence of other effective policies, will do little to end tobacco's grip on the children of D.C. There is little evidence to indicate that in the absence of a concerted, comprehensive program, penalizing kids will work to reduce tobacco use rates. Rather, experience from other cities indicates that only a comprehensive program which vigorously enforces laws against selling tobacco to kids through compliance checks of retailers, and which included restrictions on tobacco ads aimed at kids, will be effective.

The narrow focus of this bill will further divert resources away from effective enforcement of the current laws that prohibit retailers from selling to kids. Although the District of Columbia penalizes retailers for selling to kids, this law is not being enforced adequately. According to Department of Health and Human Services, compliance checks showed that 42.3 percent of retailers in D.C. sell tobacco products to minors.

Additionally, this amendment does not address the fact that the tobacco industry spends $5 billion a year marketing its products. Kids in D.C. continually see tobacco ads on billboards, bus shelters, and storefronts. The tobacco industry's marketing tactics work: 85 percent of kids who smoke use the three most heavily advertised brands (Marlboro, Camel and Newport).

Any discussion of holding children responsible for their addiction to tobacco should only come after or as part of a comprehensive approach, which insures that adults are being held responsible for marketing and selling to children. Therefore, we ask that you oppose this amendment. Thank you.

Sincerely,

MATTHEW L. MYERS,
Executive Vice President.

CONGRESS OF THE UNITED STATES,
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 old 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 list 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 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 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. 3868). 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.

ANTHONY A. WILLIAMS,
Mayor, District of Columbia,
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 most 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.

CONGRESS OF THE UNITED STATES,
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, 1998.

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.

Mr. BILBRAY. Mr. Chairman, I ask unanimous consent to withdraw my 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. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to enter into a colloquy with the distinguished chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations, the gentleman from Oklahoma (Mr. ISTOOK).

Mr. Chairman, I want to thank the gentleman from Oklahoma for his support in providing $250,000 in the bill to continue the mentoring program for at-risk children and the resource hotline for low-income individuals in the District.

Last year, Congress appropriated $250,000 to the International Youth Service and Development and Corporation to provide these worthwhile and much-needed services to the District. During the past year, I had the privilege to visit the southeast White House in Anacostia, where some of these services are provided to low-income citizens and at-risk children. I am pleased to report to the Congress that this minor allocation of $250,000 is making a real difference in the lives of many families who were struggling to survive and protect their children who are at risk in their community.

Is it the chairman's intention that this appropriation of $250,000 be used by the city to continue the good work which is currently being accomplished by the International Youth Service Development Corporation?

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

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

Mr. ISTOOK. Mr. Chairman, I want to first thank the gentleman from Kansas (Mr. TIAHRT) for his hard work in this area. I know personally how active and vocal he has been as an advocate for the families and their children in the District that are most at risk.

The gentleman is correct that we have worked with the District and provided funding for them, which they are using to carry on this program that the gentleman has been discussing, and we are happy to be able to do that so that this work might continue and that the District might be able to work with him to do so.

Mr. TIAHRT. Mr. Chairman, I thank the gentleman for his comments.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the bill through page 25, line 12 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 Oklahoma?

There was no objection.

The text of the bill from page 3, line 7, through page 25, line 12 is as follows:

FEDERAL PAYMENT TO THE CITIZEN COMPLAINT REVIEW BOARD

For a Federal payment to the District of Columbia for administrative expenses of the Citizen Complaint Review Board, $1,200,000, to remain available until September 30, 2001.

FEDERAL PAYMENT TO THE DEPARTMENT OF HUMAN SERVICES

For a Federal payment to the Department of Human Services for a mentoring program and for hotline services, $250,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, $183,000,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33, approved August 5, 1997; 111 Stat. 712): *Provided*, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $100,714,000 to be allocated as follows: for the District of Columbia Court of Appeals, $7,209,000; for the District of Columbia Superior Court, $75,245,000; for the District of Columbia Court System, $9,260,000 and $9,000,000, to remain available until September 30, 2001, for capital improvements for District of Columbia courthouse facilities: *Provided*, That of the amounts available for operations of the District of Columbia Courts, not to exceed $2,500,000 shall be for the design of an Integrated Justice Information System and that such funds shall be used in accordance with a plan and design developed by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided*

further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration, said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $33,336,000, to remain available until expended: *Provided,* That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further,* That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, as amended (Public Law 105–33, approved August 5, 1997; 111 Stat. 712), $105,500,000, of which $69,400,000 shall be for necessary expenses of Parole Revocation, Adult Probation and Offender Supervision, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; $17,400,000 shall be available to the Public Defender Service; and $18,700,000 shall be available to the Pretrial Services Agency: *Provided,* That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further,* That of the amounts made available under this heading, $32,192,000 shall be used in support of universal drug screening and testing for those individuals on pretrial, probation, or parole supervision with continued testing, intermediate sanctions, and other treatment for those identified in need, of which not to exceed $13,245,000 shall be available until September 30, 2001, for treatment services.

CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center in the District of Columbia, $3,500,000 for construction, renovation, and information technology infrastructure costs associated with establishing community pediatric health clinics for high risk children in medically underserved areas of the District of Columbia.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

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

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $162,356,000 (including $137,134,000 from local funds, $11,670,000 from Federal funds, and $13,552,000 from other funds): *Provided,* That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further,* That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further,* That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further,* That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $190,335,000 (including $52,911,000 from local funds, $84,751,000 from Federal funds, and $52,673,000 from other funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec. 1–2271 et seq.), and the Business Improvement Districts Temporary Amendment Act of 1997 (D.C. Law 12–23): *Provided,* That such funds are available for acquiring services provided by the General Services Administration: *Provided further,* That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, $785,670,000 (including $565,411,000 from local funds, $29,012,000 from Federal funds, and $191,247,000 from other funds): *Provided,* That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further,* That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further,* That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further,* That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be $500,000: *Provided further,* That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: *Provided further,* That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further,* That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further,* That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further,* That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further,* That $100,000 shall be available for inmates released on medical and geriatric parole: *Provided further,* That commencing on December 31, 1999, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $867,411,000 (including $721,847,000 from local funds, $120,951,000 from Federal funds, and $24,613,000 from other funds), to be allocated as follows: $713,197,000 (including $600,936,000 from local funds, $106,213,000 from Federal funds, and $6,048,000 from other funds), for the public schools of the District of Columbia; $17,000,000 from local funds being the Federal payment appropriated earlier in this Act for resident tuition support at public and private institutions of higher learning for eligible District residents; $10,700,000 from local funds for the District of Columbia Teachers' Retirement Fund; and not less than $27,885,000 from local funds for public charter schools: *Provided,* That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further,* That $480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs; $72,347,000 (including $40,491,000 from local funds, $13,536,000 from Federal funds, and $18,320,000 from other funds) for the University of the District of Columbia; $24,171,000 (including $23,128,000 from local funds, $798,000 from Federal funds and $245,000 other funds) for the Public Library; $2,111,000 (including $1,707,000 from local funds and $404,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further,* That the public schools of the District of Columbia are authorized to accept not to exceed 31

motor vehicles for exclusive use in the driver education program: *Provided further,* That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further,* That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled ''An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes'', approved February 4, 1925 (D.C. Code, sec. 31–401 et seq.): *Provided further,* That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2000 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further,* That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2000, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

HUMAN SUPPORT SERVICES

Human support services, $1,526,361,000 (including $635,373,000 from local funds, $875,814,000 from Federal funds, and $15,174,000 from other funds): *Provided,* That $25,150,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further,* That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further,* That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in section 411(5) of the Stewart B. McKinney Homeless Assistance Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301 et seq.).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $271,395,000 (including $258,341,000 from local funds, $3,099,000 from Federal funds, and $9,955,000 from other funds): *Provided,* That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: *Provided further,* That $2,620,000 shall be available for program enhancements ($1,370,000 for selected increases in District bus service; $800,000 for new feeder bus service; $200,000 for new small bus operations; and $250,000 for the planning and development of the proposed New York Avenue Metrorail station).

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, $345,577,000 (including $221,106,000 from local funds, $106,111,000 from Federal funds, and $18,360,000 from other funds).

WORKFORCE INVESTMENTS

For workforce investments, $8,500,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

RESERVE

For a reserve to be established by the Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority, $150,000,000 from local funds: *Provided,* That the reserve shall only be expended according to criteria established by the Chief Financial Officer and approved by the District of Columbia Financial Responsibility and Management Assistance Authority, and the House and Senate Committees on Appropriations.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104–8), $3,140,000: *Provided,* That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 2000 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B–279095.2).

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973, as amended, and that funds shall be allocated for expenses associated with the Wilson Building, $328,417,000 from local funds: *Provided,* That for equipment leases, the Mayor may finance $27,527,000 of equipment cost, plus cost of issuance not to exceed two percent of the par amount being financed on a lease purchase basis with a maturity not to exceed five years: *Provided further,* That $5,300,000 is allocated to the Metropolitan Police Department, $3,200,000 for the Fire and Emergency Medical Services Department, $350,000 for the Department of Corrections, $15,949,000 for the Department of Public Works and $2,728,000 for the Public Benefit Corporation.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $38,286,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102–106; D.C. Code, sec. 47–321(a)(1)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $9,000,000 from local funds.

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, $7,950,000 from local funds.

OPTICAL AND DENTAL PAYMENTS

For optical and dental payments, $1,295,000 from local funds.

PRODUCTIVITY BANK

The Chief Financial Officer of the District of Columbia, under the direction of the Mayor and the District of Columbia Financial Responsibility and Management Assistance Authority, shall finance projects totaling $20,000,000 in local funds that result in cost savings or additional revenues, by an amount equal to such financing: *Provided,* That the Mayor shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the projects financed under this heading.

PRODUCTIVITY BANK SAVINGS

The Chief Financial Officer of the District of Columbia, under the direction of the Mayor and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions totaling $20,000,000 in local funds. The reductions are to be allocated to projects funded through the Productivity Bank that produce cost savings or additional revenues in an amount equal to the Productivity Bank financing: *Provided,* That the Mayor shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the cost savings or additional revenues funded under this heading.

PROCUREMENT AND MANAGEMENT SAVINGS

The Chief Financial Officer of the District of Columbia, under the direction of the Mayor and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions of $14,457,000 for general supply schedule savings and $7,000,000 for management reform savings, in local funds to one or more of the appropriation headings in this Act: *Provided,* That the Mayor shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the general supply schedule savings and management reform savings projected under this heading.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For operation of the Water and Sewer Authority and the Washington Aqueduct, $279,608,000 from other funds (including $236,075,000 for the Water and Sewer Authority and $43,533,000 for the Washington Aqueduct) of which $35,222,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, $197,169,000, as authorized by An Act authorizing the laying of watermains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58–140; D.C. Code, sec. 43–1512 et seq.): *Provided,* That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act

under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97–91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3–172; D.C. Code, secs. 2–2501 et seq. and 22–1516 et seq.), $234,400,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $10,846,000 from other funds for expenses incurred by the Armory Board in the exercise of its powers granted by the Act entitled ''An Act To Establish A District of Columbia Armory Board, and for other purposes'', approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2–301 et seq.) and the District of Columbia Stadium Act of 1957, approved September 7, 1957 (71 Stat. 619; Public Law 85–300; D.C. Code, sec. 2–321 et seq.): *Provided*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; Public Law 93–198; D.C. Code, sec. 47–301(b)).

D.C. HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

For the District of Columbia Health and Hospitals Public Benefit Corporation, established by D.C. Law 11–212, D.C. Code, sec. 32–262.2, effective April 9, 1997, $133,443,000 of which $44,435,000 shall be derived by transfer from the general fund and $89,008,000 from other funds.

D.C. RETIREMENT BOARD

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Code, sec. 1–711), $9,892,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further*, That section 121(c)(1) of the District of Columbia Retirement Reform Act (D.C. Code, sec. 1–711(c)(1)) is amended by striking ''the total amount to which a member may be entitled'' and all that follows and inserting the following: ''the total amount to which a member may be entitled under this subsection during a year (beginning with 1998) may not exceed $5,000, except that in the case of the Chairman of the Board and the Chairman of the Investment Committee of the Board, such amount may not exceed $10,000 (beginning with 2000).''.

CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act, approved October 3, 1964 (78 Stat. 1000; Public Law 88–622), $1,810,000 from other funds.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $50,226,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, $1,260,524,000 of which $929,450,000 is from local funds, $54,050,000 is from the highway trust fund, and $277,024,000 is from Federal funds, and a rescission of $41,886,500 from local funds approriated under this heading in prior fiscal years, for a net amount of $1,218,637,500 to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90–495; D.C. Code, sec. 7–134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2001, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2001: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

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

If not, the Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

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

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

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4–101; D.C. Code, sec. 3–205.44), and for the payment of the non-Federal share of funds necessary to qualify for grants under subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994.

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

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

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

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

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

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

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

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

SEC. 116. None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, 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 an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in the Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project, or responsibility center; unless the Appropriations Committees of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

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

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

COMPENSATION FOR CERTAIN OFFICIALS

SEC. 119. (a) CITY ADMINISTRATOR.—The last sentence of section 422(7) of the District of Columbia Home Rule Act (D.C. Code, sec. 1–242(7)) is amended by striking ‘‘, not to exceed’’ and all that follows and inserting a period.

(b) BOARD OF DIRECTORS OF REDEVELOPMENT LAND AGENCY.—Section 1108(c)(2)(F) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1–612.8(c)(2)(F)) is amended to read as follows:

‘‘(F) Redevelopment Land Agency board members shall be paid per diem compensation at a rate established by the Mayor, except that such rate may not exceed the daily equivalent of the annual rate of basic pay for level 15 of the District Schedule for each day (including travel time) during which they are engaged in the actual performance of their duties.’’.

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

SEC. 121. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2000, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 2000 revenue estimates as of the end of the first quarter of fiscal year 2000. These estimates shall be used in the budget request for the fiscal year ending September 30, 2001. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 122. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided,* That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 123. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985, (99 Stat. 1037; Public Law 99–177), as amended, the term ‘‘program, project, and activity’’ shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided,* That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 124. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037: Public Law 99–177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided,* That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

SEC. 125. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2000 if—

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

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

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

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

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

SEC. 126. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

SEC. 127. (a) The University of the District of Columbia shall submit to the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter in this section referred to as ‘‘Authority’’), and the Council of the District of Columbia (hereafter in this section referred to as ‘‘Council’’) no later than 15 calendar days after the end of each quarter a report that sets forth—

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

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

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

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

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

(b) The Mayor, the Authority, and the Council shall provide the Congress by February 1, 2001, a summary, analysis, and recommendations on the information provided in the quarterly reports.

SEC. 128. None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) if—

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

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

ABORTION FUNDS RESTRICTION

SEC. 129. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

DOMESTIC PARTNERS FUNDS RESTRICTION

SEC. 130. None of the funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Code, sec. 36–1401 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 131. The Superintendent of the District of Columbia Public Schools shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than 15 calendar days after the end of each quarter a report that sets forth—

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

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

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

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

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

SEC. 132. (a) IN GENERAL.—The Superintendent of the District of Columbia Public Schools and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1999, fiscal year 2000, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

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

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

SEC. 133. (a) No later than October 1, 1999, or within 30 calendar days after the date of the enactment of this Act, which ever occurs later, and each succeeding year, the Superintendent of the District of Columbia Public Schools and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

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

SEC. 134. The District of Columbia Financial Responsibility and Management Assistance Authority, acting on behalf of the District of Columbia Public Schools (DCPS) in formulating the DCPS budget, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act, Public Law 93–198, as amended (D.C. Code, sec. 47–301), or before submitting their respective budgets directly to the Council.

CEILING ON TOTAL OPERATING EXPENSES

SEC. 135. (a) CEILING ON TOTAL OPERATING EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2000 under the caption ''Division of Expenses'' shall not exceed the lesser of—

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

(B) $5,522,779,000 (of which $152,753,000 shall be from intra-District funds and $3,117,254,000 shall be from local funds), which amount may be increased by the following:

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

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

(2) ENFORCEMENT.—The Chief Financial Officer of the District of Columbia and the Authority shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2000, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

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

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

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

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

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

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

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

(c) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1999, the Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

(d) APPLICATION OF EXCESS REVENUES.—Local revenues collected in excess of amounts required to support appropriations

in this Act for operating expenses for the District of Columbia for fiscal year 2000 under the caption ''Division of Expenses'' shall be applied first to a reserve account not to exceed $250,000,000 to be used to finance seasonal cash needs (in lieu of short-term borrowings); second to accelerate repayment of cash borrowed from the Water and Sewer Fund; and third to reduce the outstanding long-term bonded indebtedness.

SEC. 136. If a department or agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 2000 or any succeeding fiscal year, the receiver or official shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia for the year, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the department or agency. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–101 et seq.) the Council may comment or make recommendations concerning such annual estimates but shall have no authority under such Act to revise such estimates.

SEC. 137. The District of Columbia Financial Responsibility and Management Assistance Authority and the Superintendent of the District of Columbia Public Schools are hereby directed to report to the Appropriations Committees of the Senate and the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives not later than April 1, 2000, on all measures necessary and steps to be taken to ensure that the District's Public Schools open on time to begin the 2000–2001 academic year.

SEC. 138. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be—

(1) classified as an Educational Service employee;

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

(3) subject to all Board of Education rules.

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

RESTRICTIONS ON USE OF OFFICIAL VEHICLES

SEC. 139. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace (except (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the D.C. Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) INVENTORY OF VEHICLES.—The Chief Financial Officer of the District of Columbia shall submit, by November 15, 1999, an inventory, as of September 30, 1999, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 140. (a) SOURCE OF PAYMENT FOR EMPLOYEES DETAILED WITHIN GOVERNMENT.—For purposes of determining the amount of funds expended by any entity within the District of Columbia government during fiscal year 2000 and each succeeding fiscal year, any expenditures of the District government attributable to any officer or employee of the District government who provides services which are within the authority and jurisdiction of the entity (including any portion of the compensation paid to the officer or employee attributable to the time spent in providing such services) shall be treated as expenditures made from the entity's budget, without regard to whether the officer or employee is assigned to the entity or otherwise treated as an officer or employee of the entity.

(b) MODIFICATION OF REDUCTION IN FORCE PROCEDURES.—The District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1–601.1 et seq.), as amended, is further amended in section 2408(a) by deleting ''1999'' and inserting, ''2000''; in subsection (b), by deleting ''1999'' and inserting ''2000''; in subsection (i), by deleting ''1999'' and inserting, ''2000''; and in subsection (k), by deleting ''1999'' and inserting, ''2000''.

SEC. 141. Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public Schools [DCPS] student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education (referred to in this section as the ''Board''), or its successor and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

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

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

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

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 143. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) for fiscal year 2000 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Code, sec. 1–1182.8(a)(4)); and

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

SEC. 144. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the District of Columbia Financial Responsibility and Management Assistance Authority. Appropriations made by this Act for such programs or functions are conditioned only on the approval by the Authority of the required reorganization plans.

SEC. 145. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes.

SEC. 146. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 147. None of the funds contained in this Act may be used to transfer or confine inmates classified above the medium security level, as defined by the Federal Bureau of Prisons classification instrument, to the Northeast Ohio Correctional Center located in Youngstown, Ohio.

RESERVE

SEC. 148. Section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Code, sec. 47–392.1(i)), as added by section 155 of the District of Columbia Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–146) is amended to read as follows:

''(j) RESERVE.—

''(1) IN GENERAL.—Beginning with fiscal year 2000, the financial plans and budgets submitted pursuant to this Act shall contain $150,000,000 for a reserve to be established by the Chief Financial Officer of the District of Columbia and the Authority.

''(2) EXPENDITURE.—The reserve shall only be expended according to criteria established by the Chief Financial Officer and approved by the Authority and the Committees on Appropriations of the House of Representatives and Senate.''.

SEC. 149. (a) No later than November 1, 1999, or within 30 calendar days after the date of the enactment of this Act, whichever occurs later, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the District of Columbia Financial Responsibility and Management Assistance Authority a revised appropriated funds operating budget for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act, Public Law 93–198, as amended (D.C. Code, sec. 47–301).

STERILE NEEDLES FUNDS RESTRICTION

SEC. 150. None of the Federal funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 151. None of the Federal funds contained in this Act may be used to conduct any ballot initiative which seeks to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

MONITORING OF REAL PROPERTY LEASES

SEC. 152. (a) RESTRICTIONS.—None of the funds contained in this Act may be used to make rental payments under a lease for the use of real property by the District of Columbia government (including any independent agency of the District) unless—

(1) the lease and an abstract of the lease have been filed with the central office of the Deputy Mayor for Economic Development; and

(2)(A) the District of Columbia government occupies the property during the period of time covered by the rental payment; or

(B) within 60 days of enactment of this Act the Mayor certifies to Congress and the landlord that occupancy is impracticable and submits with the certification a plan to terminate or renegotiate the lease or rental agreement.

(b) UNOCCUPIED PROPERTY.—After 120 days from the date of enactment of this Act, none of the funds contained in this Act may be used to make rental payments for property described in subsection (a)(2)(B) of this section.

(c) SEMI-ANNUAL REPORTS BY MAYOR.—Not later than 20 days after the end of each six-month period that begins on October 1, 1999, the Mayor of the District of Columbia shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate listing the leases for the use of real property by the District of Columbia government that were in effect during the six-month period, and including for each such lease the location of the property, the name of any person with any ownership interest in the property, the rate of payment, the period of time covered by the lease, and the conditions under which the lease may be terminated.

NEW LEASES AND PURCHASES OF REAL PROPERTY

SEC. 153. None of the funds contained in this Act may be used to enter into a lease on or after the date of the enactment of this Act (or to make rental payments under such a lease) for the use of real property by the District of Columbia government (including any independent agency of the District) or to purchase real property for the use of the District of Columbia government (including any independent agency of the District) or to manage real property for the use of the District of Columbia (including any independent agency of the District) unless—

(1) the Mayor certifies to the Committees on Appropriations of the House of Representatives and the Senate that existing real property available to the District (whether leased or owned by the District government) is not suitable for the purposes intended;

(2) notwithstanding any other provisions of law, there is made available for sale or lease all property of the District of Columbia which the Mayor from time to time determines is surplus to the needs of the District of Columbia;

(3) the Mayor implements a program for the periodic survey of all District property to determine if it is surplus to the needs of the District; and

(4) the Mayor within 60 days of the date of enactment of this Act has filed a report with the appropriations and authorizing committees of the House and Senate providing a comprehensive plan for the management of District of Columbia real property assets and is proceeding with the implementation of the plan.

CHARTER SCHOOL CONSTRUCTION AND REPAIR FUNDS

SEC. 154. Section 603(e)(2)(B) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 3009–293) is amended by inserting ''and public charter'' after ''public''.

DISPOSAL OF EXCESS SCHOOL PROPERTY

SEC. 155. The Mayor, District of Columbia Financial Responsibility and Management Assistance Authority, and the Superintendent of Schools shall implement a process to dispose of excess public school real property within 90 days of the enactment of this Act.

SEC. 156. Section 2003 of the District of Columbia School Reform Act of 1995 (Public Law 104–134; D.C. Code, sec. 31–2851) is amended by striking ''during the period'' and ''and ending 5 years after such date.''

CHARTER SCHOOL SIBLING PREFERENCE

SEC. 157. Section 2206(c) of the District of Columbia School Reform Act of 1995 (Public Law 104–134; D.C. Code, sec. 31–2853.16(c)) is amended by adding at the end the following: '', except that a preference in admission may be given to an applicant who is a sibling of a student already attending or selected for admission to the public charter school in which the applicant is seeking enrollment.''

BUYOUTS AND OTHER MANAGEMENT REFORMS (TRANSFER OF FUNDS)

SEC. 158. (a) TRANSFER OF FUNDS.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the ''Authority'') to the District of Columbia the sum of $20,000,000 for severance payments to individuals separated from employment during fiscal year 2000 (under such terms and conditions as the Mayor considers appropriate), expanded contracting authority of the Mayor, and the implementation of a system of managed competition among public and private providers of goods and services by and on behalf of the District of Columbia: *Provided,* That such funds shall be used only in accordance with a plan agreed to by the Council and the Mayor and approved by the Committees on Appropriations of the House of Representatives and the Senate.

(b) SOURCE OF FUNDS.—The amount transferred under subsection (a) shall be derived from interest earned on accounts held by the Authority on behalf of the District of Columbia.

FOURTEENTH STREET BRIDGE

SEC. 159. (a) IN GENERAL.—The District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the ''Authority''), working with the Commonwealth of Virginia and the Director of the National Park Service, shall carry out a project to complete all design requirements and all requirements for compliance with the National Environmental Policy Act for the construction of expanded lane capacity for the Fourteenth Street Bridge.

(b) SOURCE OF FUNDS.—In carrying out the project under subsection (a), the Authority shall use funds contained in the escrow account held by the Authority pursuant to section 134 of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–552), for infrastructure needs of the District of Columbia, except that the amount used may not exceed $7,500,000.

ANACOSTIA RIVER ENVIRONMENTAL CLEANUP (TRANSFER OF FUNDS)

SEC. 160. (a) IN GENERAL.—The Mayor of the District of Columbia shall carry out through the Army Corps of Engineers, an Anacostia River environmental cleanup program.

(b) SOURCE OF FUNDS.—There are hereby transferred to the Mayor from the escrow account held by the District of Columbia Financial Responsibility and Management Assistance Authority pursuant to section 134 of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–552), for infrastructure needs of the District of Columbia, $5,000,000.

CRIME VICTIMS COMPENSATION FUND

SEC. 161. (a) PROHIBITING PAYMENT OF ADMINISTRATIVE COSTS FROM FUND.—Section 16(e) of the Victims of Violent Crime Compensation Act of 1996 (D.C. Code, sec. 3–435(e)) is amended—

(1) by striking ''and administrative costs necessary to carry out this chapter''; and

(2) by striking the period at the end and inserting the following: '', and no monies in the Fund may be used for any other purpose.''.

(b) ANNUAL TRANSFER OF UNOBLIGATED BALANCES TO TREASURY.—Section 16 of such Act (D.C. Code, sec. 3–435) is amended—

(1) by redesignating subsection (f) as subsection (g); and

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

''(f) Any unobligated balance existing in the Fund as of the end of each fiscal year (beginning with fiscal year 2000) shall be transferred to the Treasury of the United States.''.

DUTIES OF CHIEF FINANCIAL OFFICERS TO FOLLOW ACT

SEC. 162. (a) CERTIFICATION.—None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and their agency as a result of this Act (and the amendments made by this Act).

SEC. 163. The proposed budget of the government of the District of Columbia for fiscal year 2001 that is submitted by the District to Congress shall specify potential adjustments that might become necessary in

the event that the management savings achieved by the District during the year do not meet the level of management savings projected by the District under the proposed budget.

SEC. 164. In submitting any document showing the budget for an office of the District of Columbia government (including an independent agency of the District) that contains a category of activities labeled as ''other'', ''miscellaneous'', or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown of the amount allocated for each such activity.

CORPS OF ENGINEERS AUTHORIZATION TO PERFORM REPAIRS AND IMPROVEMENTS ON THE SOUTHWEST WATERFRONT

SEC. 165. In using the funds made available under this Act or any other Act for carrying out improvements to the Southwest Waterfront in the District of Columbia (including upgrading marina dock pilings and paving and restoring walkways in the marina and fish market areas) for the portions of Federal property in the Southwest quadrant of the District of Columbia within Lots 847 and 848, a portion of Lot 846, and the unassessed Federal real property adjacent to Lot 848 in Square 473, any entity of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority or its designee) may place orders for engineering and construction and related services with the Chief of Engineers of the U.S. Army Corps of Engineers. The Chief of Engineers may accept such orders on a reimbursable basis and may provide any part of such services by contract. In providing such services, the Chief of Engineers shall follow the Federal Acquisition Regulations and the implementing Department of Defense regulations. This section shall apply to fiscal year 2000 and each fiscal year thereafter.

SEC. 166. It is the sense of Congress that the District of Columbia should not impose or take into consideration any height, square footage, set-back, or other construction or zoning requirements in authorizing the issuance of industrial revenue bonds for a project of the American National Red Cross at 2025 E Street Northwest, Washington, D.C., in as much as this project is subject to approval of the National Capital Planning Commission and the Commission of Fine Arts pursuant to section 11 of the joint resolution entitled ''Joint Resolution to grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia'', approved July 1, 1947 (Public Law 100–637; 36 U.S.C. 300108 note).

This title may be cited as the ''District of Columbia Appropriations Act, 2000''.

TITLE II—TAX REDUCTION

SEC. 201. COMMENDING REDUCTION OF TAXES BY DISTRICT OF COLUMBIA.

Congress commends the District of Columbia for its action to reduce taxes, and ratifies D.C. Act 13–111 (commonly known as the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999).

SEC. 202. RULE OF CONSTRUCTION.

Nothing in this title may be construed to limit the ability of the Council of the District of Columbia to amend or repeal any provision of law described in this title.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the bill through page 66, line 13 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

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

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:

Page 65, insert after line 24 the following:

SEX OFFENDER REGISTRATION

SEC. 167. (a) PERMITTING COURT SERVICES AND OFFENDER SUPERVISION AGENCY TO CARRY OUT SEX OFFENDER REGISTRATION.—Section 11233(c) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (DC Code, sec. 24–1233(c)) is amended by adding at the end the following new paragraph:

''(5) SEX OFFENDER REGISTRATION.—The Agency shall carry out sex offender registration functions in the District of Columbia, and shall have the authority to exercise all powers and functions relating to sex offender registration that are granted to the Agency under any District of Columbia law.''.

(b) AUTHORITY DURING TRANSITION TO FULL OPERATION OF AGENCY.—

(1) AUTHORITY OF PRETRIAL SERVICES, PAROLE, ADULT PROBATION AND OFFENDER SUPERVISION TRUSTEE.—Notwithstanding section 11232(b)(1) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (DC Code, sec. 24–1232(b)(1)), the Pretrial Services, Parole, Adult Probation and Offender Supervision Trustee appointed under section 11232(a) of such Act (hereafter referred to as the ''Trustee'') shall, in accordance with section 11232 of such Act, exercise the powers and functions of the Court Services and Offender Supervision Agency for the District of Columbia (hereafter referred to as the ''Agency'') relating to sex offender registration (as granted to the Agency under any District of Columbia law) only upon the Trustee's certification that the Trustee is able to assume such powers and functions.

(2) AUTHORITY OF METROPOLITAN POLICE DEPARTMENT.—During the period that begins on the date of the enactment of the Sex Offender Registration Emergency Act of 1999 and ends on the date the Trustee makes the certification described in paragraph (1), the Metropolitan Police Department of the District of Columbia shall have the authority to carry out any powers and functions relating to sex offender registration that are granted to the Agency or to the Trustee under any District of Columbia law.

Mr. ISTOOK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. Chairman, this is an amendment that we have received a request for from the District of Columbia, and in particular Linda Cropp, the council member who serves as the chairman of the city council.

Mr. Chairman, this is to permit the Federally run Office of Offender Supervision, the Court Services and Offender Service Agency, to administer the sex offender registration pursuant to local ordinance recently adopted by the District of Columbia City Council.

The City Council, on July 13, unanimously enacted their Sex Offender Registration Emergency Act of 1999 and the Sex Offender Registration Temporary Act of 1999. This establishes an effective sex offender registration and community notification system within the District.

Because the Federal agency, the Court Services and Offender Supervision Agency, is now involved with the supervision of persons on pretrial release, parole and probation, it is necessary that they be authorized to administer the sex offender registration program. This legislation permits them to do that. That also permits the District to come into compliance with Federal law requiring these registries to qualify for different Federal funding.

The community notification portion, I understand, will be conducted by officials of the District Government, whereas the registration portion will be conducted under this amendment by the Federal agency that is involved with those that are being supervised while they are free on pretrial release, probation, parole, and so forth.

Mr. Chairman, we have worked with the ranking member, and I understand we have the consent of the gentlewoman from the District of Columbia as well, and I believe this amendment should prompt no objection from anyone and urge it be adopted.

Mr. Chairman, I submit for the RECORD a letter and supporting documentation with regard to this particular issue:

COUNCIL OF THE DISTRICT OF COLUMBIA,
Washington, DC, July 27, 1999.

Re Federal legislation to effectuate D.C. sex offender registry.

Hon. ELEANOR HOLMES NORTON,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN NORTON: We write to request that you attach the enclosed draft legislation to the next available vehicle in Congress which may present itself this week during the budget process.

At the Council's legislative session on July 13, 1999, we voted unanimously to enact the Sex Offender Registration Emergency Act of 1999 and the Sex Offender Registration Temporary Act of 1999. The purpose of this legislation was to establish an effective sex offender registration and community notification system in the District of Columbia and to bring the District into compliance with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071), which establishes national criteria for such programs. A copy of the emergency act is enclosed.

The Council vested the Metropolitan Police Department (''MPD'') with community notification duties regarding sex offenders. (See section 12 at pp. 10–11.) The Court Services and Offender Supervision Agency (''Agency''), established pursuant to section 11233 of the National Capital Revitalization and Self-Government Improvement Act of 1997, will be charged with the task of registering sex offenders in the District. (See sections 5, 8, 9 and 10.) The registration functions including obtaining the initial registration information of sex offenders and informing them of registration requirements,

periodically verifying address information and other registration information, reporting changes in address, notifying other jurisdictions when sex offenders leave the District, entering information on D.C. offenders in the National Sex Offender Registry and providing information on sex offenders to the MPD. Since the Agency is already responsible for tracking and supervising released sex offenders under the Revitalization Act, it is efficient and cost-effective to have this entity perform registration functions.

The U.S. Attorney's Office has informed us that federal legislation, in the form enclosed, is needed to clarify the ability of the Agency to carry out its registration functions. In view of the sensitive nature of monitoring sex offenders, it is important that each affected governmental entity be clearly empowered to perform its functions and that the transition of registration duties from the MPD to the Agency be as seamless and prompt as possible.

Thank you for your assistance. Should you have any questions, we are available to discuss this matter with you at any time.

Sincerely,

LINDA W. CROPP,
Chairman.

HAROLD BRAZIL,
Chairman, Judiciary Committee.

Enclosures: Draft federal legislation; Sex Offender Registration Emergency Act of 1999.

SEC. . SEX OFFENDER REGISTRATION.

(a) OFFENDER SUPERVISION AGENCY.—Section 11233(c) of the National Capital Revitalization and Self-Government Improvement Act of 1997 is amended by adding at the end the following:

''(5) SEX OFFENDER REGISTRATION.—The Agency shall carry out sex offender registration functions in the District of Columbia, and shall have the authority to exercise all powers and functions authorized for the Agency by any District of Columbia law relating to sex offender registration.''.

(b) OFFENDER SUPERVISION TRUSTEE.—(1) As used in this subsection—

(A) ''Act'' means the Sex Offender Registration Emergency Act of 1999;

(B) ''Agency'' means the Court Services and Offender Supervision Agency for the District of Columbia; and

(C) ''Trustee'' means the Trustee appointed under section 11232(a) of the National Capital Revitalization and Self-Government Improvement Act of 1997.

(2) The Trustee shall have the authority to exercise all powers and functions authorized for the Agency or the Trustee by the Act or by any other District of Columbia law relating to sex offender registration, effective immediately upon the Trustee's certification that the Trustee is able to assume these powers and functions. Pending a certification by the Trustee under this paragraph, the Metropolitan Police Department shall continue to have the authority to carry out any functions assigned to the Agency or Trustee under the Act or other District of Columbia law relating to sex offender registration.

EXPLANATION

The District of Columbia government has recently approved emergency legislation—the Sex Offender Registration Emergency Act of 1999—which assigns sex offender registration functions (other than community notification functions) to the Court Services and Offender Supervision Agency for the District of Columbia. This section validates this assignment of responsibility, and ensures an uninterrupted transition of sex offender registration functions from the D.C. Metropolitan Police Department to the Offender Supervision Agency. The enactment of this section is necessary to implement an effective sex offender registration program in the District and to enable the District to comply with the federal law standards for such programs.

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071) establishes minimum national standards for state sex offender registration and notification programs. *See* 42 U.S.C. 14071 (Wetterling Act); 64 FR 572–87, 3590 (Wetterling Act guidelines). At the present time, all 50 states and the District of Columbia have established sex offender registration programs, and are attempting to bring their programs into compliance with the Wetterling Act standards. States (including D.C.) which fail to comply with the Wetterling Act standards within the applicable statutory time frames are subject to a mandatory 10% reduction of federal Byrne Grant funding—a reduction that would cost D.C. about $200,000 a year at current funding levels.

The sex offender registration provisions initially enacted in the District of Columbia (D.C. Code §§24–1101 through 1117) did not achieve full compliance with the Wetterling Act standards, and have proven to be largely dysfunctional, for a number of reasons: (1) The D.C. registration provisions did not reflect new requirements that Congress added to the Wetterling Act in relatively recent amendments—for example, expanded lifetime registration requirements for the most violent and recidivistic sex offenders, and provisions promoting the registration of sex offenders in states where they work or attend school as well as states of residence. (2) The D.C. registration provisions could not operate as intended because they predated the reforms of the National Capital Revitalization and Self-Government Improvement Act of 1997. For example, the D.C. provisions directed the D.C. Department of Corrections to obtain registration information from incarcerated sex offenders and to advise them of registration obligations at the time of release—but this assignment of responsibility will not work in the future because all incarcerated D.C. felons will be transferred to federal Bureau of Prisons facilities under the Revitalization Act's reforms. (3) Experience has shown other problems with the original D.C. provisions. For example, the original D.C. system relied on a volunteer Advisory Council for risk assessments of sex offenders as the basis for registration and notification requirements. Since the Advisory Council has been totally dysfunctional as a practical matter, there is currently no community notification regarding registered sex offenders in D.C., notwithstanding the Wetterling Act's community notification requirements and the establishment of community notification programs in most states.

The D.C. government has accordingly approved, in the form of emergency legislation, a new act (the ''Sex Offender Registration Emergency Act of 1999'') which will enable the District to implement an effective sex offender registration and notification program and achieve compliance with the federal Wetterling Act standards for such programs. Under the new D.C. legislation, the Metropolitan Police Department will be responsible for the community notification aspects of the program. Other sex offender registration functions will be the responsibility of the Court Services and Offender Supervision Agency for the District of Columbia (hereafter, the ''Agency'')—the entity established by the D.C. Revitalization Act to handle adult offender post-conviction supervision in the District. Pursuant to §§11232–33 of the Revitalization Act, the Agency will formally assume its duties as a federal executive agency at the end of a transitional period, and currently operates as an independent Trusteeship.

Since the Agency is responsible in any event for tracking and oversight of released sex offenders in the District as part of its supervision responsibilities, it is sensible and efficient to vest responsibility for sex offender registration functions in the same agency. The contemplated functions of the Agency under the new D.C. legislation include (inter alia) obtaining the initial registration information on sex offenders and informing them of registration requirements, periodically verifying address information and other registration information; adopting procedures for reporting of change of address or other changes in registration information by sex offenders; notifying registration authorities in other jurisdictions when sex offenders leave D.C.; maintaining and operating the sex offender registry for D.C.; entering information on D.C. sex offenders in the National Sex Offender Registry; and providing information on sex offenders to the Metropolitan Police Department and other law enforcement and governmental agencies as appropriate.

Because of the federal character of the Agency, complementary federal legislation is needed for the Agency to actually assume this role. The new D.C. sex offender registration legislation (the Sex Offender Registration Emergency Act of 1999) recognizes this need, providing in §18 that the Metropolitan Police Department shall have the authority to carry out the Agency's functions under the act, ''[p]ending the enactment of a federal law that authorizes the Agency to carry out sex offender registration functions in the District of Columbia.''

The proposal in this section provides the necessary federal legislation. Subsection (a) in the section amends the specification of permanent functions of the Agency in §11233(c) of the Revitalization Act to include carrying out sex offender registration functions in D.C., and provides for the Agency's exercise of all powers and functions authorized for the Agency by the D.C. sex offender registration laws.

Subsection (b) in the section addresses more immediate transitional issues. The Agency in its current form is the office of the Trustee established by section 11232 of the Revitalization Act. Subsection (b) provides, in part, that the Trustee shall have the authority to exercise all powers and functions authorized for the Agency or the Trustee by the D.C. emergency legislation or any other D.C. law relating to sex offender registration. as indicated above, this includes (under the emergency legislation) such measures as adopting and implementing requirements and procedures for obtaining, periodically verifying, and keeping current sex offender registration information; maintaining the sex offender registry for the District of Columbia; participating in the National Sex Offender Registry on behalf of the District; and providing information on sex offenders to the Metropolitan Police Department and other law enforcement and governmental agencies. The subsection refers to other D.C. laws relating to sex offender registration, as well as to the current emergency legislation, because the emergency legislation lapses after 90 days, and will be succeeded by temporary and permanent D.C. sex offender registration acts of similar character that the Trustee will need to implement.

Since any gap between the end of the Metropolitan Police Department's exercise of these functions and the start of the Trustee's exercise of these functions could bring about an abrupt cessation of all sex offender registration in the District, it is important to

ensure a seamless transition that will result in no interruption of sex offender registration. Subsection (b) accordingly provides that the transition of functions will occur when the Trustee certifies that the Trustee is able to assume the pertinent powers and functions. This will enable the Trustee to make necessary institutional arrangements prior to the transition, such as training of personnel in sex offender registration requirements and procedures. Upon the Trustee's certification, the Trustee will be authorized to immediately exercise these powers and functions. Pending the Trustee's certification, the Metropolitan Police Department will retain the authority to carry out all functions relating to sex offender registration.

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the amendment, and would simply say that we are happy that it is in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 106–263 offered by Mr. TIAHRT:

On page 56 strike lines 18 through 22 and insert in lieu, thereof the following:

STERILE NEEDLES FUNDS RESTRICTION

SEC. 150. None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug, or for any payment to any individual or entity who carries out any such program.

The CHAIRMAN. Pursuant to House Resolution 260, the gentleman from Kansas (Mr. TIAHRT), and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman Kansas (Mr. TIAHRT).

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

Mr. Chairman, my amendment, if passed, will retain current law, which says simply that we will not use public funds or tax dollars to provide needles for injection drug abusers to inject illegal drugs into their veins. In other words, our taxes will not be spent to enable injection drug abusers to continue a destructive behavior.

Mr. Chairman, that was the will of the House last year, it was passed by the Senate, and it was signed by the President. The President's appointed drug czar, General Barry McCaffrey, supports this language, which publicly opposes publicly funded needle exchange programs. Let me give the highlights of his letter to me, which is shown on this chart here.

He says basically that the public health risks outweigh the benefits; that in needle exchange programs treatment should be our priority; that this sends the wrong message; and that this places disadvantaged neighborhoods at a greater risk.

These are very good reasons why public funds should not be used to enable people to continue their destructive behavior. As General McCaffrey also says in his letter, science is uncertain. The supporters of needle exchange programs cite successful studies. I have read many of these studies and they are very inconclusive. For example, the study that supports the Baltimore needle exchange program simply measures the amount of returned needles that are positive with HIV. It does not account for those needles which are not returned, it does not account for those needles which are shared by drug abusers, but it does say that the needle exchange program is a success.

The needle exchange program is not a success, Mr. Chairman. As the Associated Press reported on July 5, this year, the Johns Hopkins University School of Public Health found in their study that in Baltimore, after 5 years of a needle exchange program, that 9 out of 10 needle-using addicts are infected with Hepatitis C, a blood-borne virus transmitted by needles. Nine out of 10 are infected with the deadly virus. If this is a success, then how do we define failure?

There have been more complete long-term studies in Montreal and Vancouver. These studies of needle exchange programs, which have been going on for more than a decade, reveal that the death rate among illegal drug users has skyrocketed; that injection drug abusers are twice as likely to become HIV positive if they are involved in a needle exchange program than if they were not involved in the program. They also say the crime rate around the needle exchange program increases.

There has been a lot of confusing information around. For example, there is a letter by Surgeon General C. Everett Koop saying he supports the needle program. He does say it is not a panacea for all settings, but there was a conversation between the gentleman from Oklahoma (Mr. COBURN), who is also a physician; and I would like the gentleman from Oklahoma to discuss with my colleagues his conversation with C. Everett Koop of just yesterday.

Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma (Mr. COBURN).

[From the Policy Review, July-August, 1998]

KILLING THEM SOFTLY

(By Joe Loconte)

The Clinton administration says giving clean needles to drug users will slow the spread of AIDS and save lives. But former addicts—and the specialists who treat them—say their greatest threats come from the soul-destroying culture of addiction.

In a midrise office building on Manhattan's West 37th Street, about two blocks south of the Port Authority bus terminal, sits the Positive Health Project, one of 11 needle-exchange outlets in New York City. This particular neighborhood, dotted by X-rated video stores, peep shows, and a grimy hot dog stand, could probably tolerate some positive health. But it's not clear that's what the program's patrons are getting.

The clients are intravenous (IV) drug users. They swap their used needles for clean ones and, it is hoped, avoid the AIDS virus, at least until their next visit. There's no charge, no hassles, no meddlesome questions. That's just the way Walter, a veteran heroin user, likes it.

''Just put me on an island and don't mess with me,'' he says, lighting up a cigarette.

A tall, thinnish man, Walter seems weary for his 40-some years. Like many of the estimated 250,000 IV drug users in this city, he has spent years shooting up and has bounced in and out of detoxification programs. ''Don't get the idea in your mind you're going to control it,'' he says. ''I thought I could control it. But dope's a different thing. You just want it.'' Can he imagine his life without drugs? ''I'm past that,'' he says, his face tightening. ''The only good thing I do is getting high.

HEROIN FIRST, THEN BREATHING

Supporters of needle-exchange programs (NEPs), from AIDS activists to Secretary of Health and Human Services Donna Shalala, seem to have reached the same verdict on Walter's life. They take his drug addiction as a given, but want to keep him free of HIV by making sure he isn't borrowing dirty syringes. Says Shalala, ''This is another life-saving intervention.'' That message is gaining currency, thanks in part to at least 112 programs in 29 states, distributing millions of syringes each year.

Critics say free needles just make it easier for addicts to go about their business: abusing drugs. Ronn Constable, a Brooklynite who used heroin and cocaine for nearly 20 years, says he would have welcomed the needle-exchange program—for saving him money. ''An addict doesn't want to spend a dollar on anything else but his drugs,'' he says.

Do needle exchanges, then, save lives or fuel addiction?

The issue flared up earlier this year when Shalala indicated the Clinton Administration would lift the ban on federal funding. Barry McCaffrey, the national drug policy chief, denounced the move, saying it would sanction drug use. Fearing a political debacle, the White House upheld the federal ban but continues to trumpet the effectiveness of NEPs. Meanwhile, Representative Gerald Solomon and Senator Paul Coverdell are pushing legislation in Congress to extend the prohibition indefinitely.

There is more than politics at work here. The debate reveals a deepening philosophical rift between the medical and moral approaches to coping with social ills.

Joined by much of the scientific community, the Clinton administration has tacitly embraced a profoundly misguided notion: that we must not confront drug abusers on moral or religious grounds. Instead, we should use medical interventions to minimize the harm their behavior invites. Directors of needle-exchange outlets pride themselves on running ''nonjudgmental'' programs. While insisting they do not encourage illegal drug use, suppliers distribute ''safe crack kits'' explaining the best ways to inject crack cocaine. Willie Easterlins, an outreach worker at a needle-stocked van in Brooklyn, sums up the philosophy this way: ''I have to give you a needle. I can't judge,'' he says. ''That's the first thing they teach us.''

This approach, however well intentioned, ignores the soul-controlling darkness of addiction and the moral freefall that sustains it. ''When addicts talk about enslavement, they're not exaggerating,'' says Terry Horton, the medical director of Phoenix House, one of the nation's largest residential treatment centers. ''It is their first and foremost priority. Heroin first, then breathing, then food.''

It is true that needle-sharing among IV drug users is a major source of HIV transmission, and that the incidence of HIV is rising most rapidly among this group—a population of more than a million people. Last year, about 30 percent of all new HIV infections were linked to IV drug use. The Clinton administration is correct to call this a major public-health risk.

Nevertheless, NEP advocates seem steeped in denial about the behavioral roots of the crisis, conduct left unchallenged by easy access to clean syringes. Most IV drug users, in fact, die not from HIV-tainted needles but from other health problems, overdoses, or homicide. By evading issues of personal responsibility, the White House and its NEP allies are neglecting the most effective help for drug abusers; enrollment in tough-minded treatment programs enforced by drug courts. Moreover, in the name of ''saving lives,'' they seem prepared to surrender countless addicts to life on the margins—an existence of scheming, scamming, disease, and premature death.

CURIOUS SCIENCE

Over the last decade, NEPs have secured funding from local departments of public health to establish outlets in 71 cities. But that may be as far as their political argument will take them: Federal law prohibits federal money from flowing to the programs until it can be proved they prevent AIDS without encouraging drug use.

It's no surprise, then, that advocates are trying to enlist science as an ally. They claim that numerous studies of NEPs prove they are effective. Says Sandra Thurman, the director of the Office of National AIDS Policy, ''There is very little doubt that these programs reduce HIV transmission.'' In arguing for federal funding, a White House panel on AIDS recently cited ''clear scientific evidence of the efficacy of such programs.''

The studies, though suggestive, prove no such thing. Activists tout the results of a New Haven study, published in the American Journal of Medicine, saying the program reduces HIV among participants by a third. Not exactly. Researchers tested needles from anonymous users—not the addicts themselves—to see if they contained HIV. They never measured ''seroconversion rates,'' the portion of participants who became HIV positive during the study. Even Peter Lurie, a University of Michigan researcher and avid NEP advocate, admits that ''the validity of testing of syringes is limited.'' A likely explanation for the decreased presence of HIV in syringes, according to scientists, is sampling error.

Another significant report was published in 1993 by the University of California and funded by the U.S. Centers for Disease Control. A panel reviewed 21 studies on the impact of NEPs on HIV infection rates. But the best the authors could say for the programs was that none showed a higher prevalence of HIV among program clients.

Even those results don't mean much. Panel members rated the scientific quality of the studies on a five-point scale: one meant ''not valid,'' three ''acceptable,'' and five ''excellent.'' Only two of the studies earned ratings of three or higher. Of those, neither showed a reduction in HIV levels. No wonder the authors concluded that the data simply do not, and for methodological reasons probably cannot, provide clear evidence that needle exchanges decrease HIV infection rates.

THE MISSING LINK

The most extensive review of needle-exchange studies was commissioned in 1993 by the U.S. Department of Health and Human Services (HHS), which directed the National Academy of Sciences (NAS) to oversee the project. Their report, ''Preventing HIV Transmission: The Role of Sterile Needles and Bleach,'' was issued in 1995 and set off a political firestorm.

''Well-implemented needle-exchange programs can be effective in preventing the spread of HIV and do not increase the use of illegal drugs,'' a 15-member panel concluded. It recommended lifting the ban on federal funding for NEPs, along with laws against possession of injection paraphernalia. The NAS report has emerged as the bible for true believers of needle exchange.

It is not likely to stand the test of time. A truly scientific trial testing the ability of NEPs to reduce needle-sharing and HIV transmission would set up two similar, randomly selected populations of drug users. One group would be given access to free needles, the other would not. Researchers would follow them for at least a year, taking periodic blood tests.

None of the studies reviewed by NAS researchers, however, were designed in this way. Their methodological problems are legion: Sample sizes are often too small to be statistically meaningful. Participants are self-selected, so that the more health-conscious could be skewing the results. As many as 60 percent of study participants drop out. And researchers rely on self-reporting, a notoriously untrustworthy tool.

''Nobody has done the basic science yet,'' says David Murray, the research director of the Statistical Assessment Service, a watchdog group in Washington, D.C. ''If this were the FDA applying the standard for a new drug, they would [block] it right there.''

The NAS panel admitted its conclusions were not based on reviews of well-designed trials. Such studies, the authors agreed, simply do not exist. Not to worry, they said: ''The limitations of individual studies do not necessarily preclude us from being able to reach scientifically valid conclusions.'' When all of the studies are considered together, they argued, the results are compelling.

''That's like tossing a bunch of broken Christmas ornaments in a box and claiming you have something nice and new and usable,'' Murray says. ''What you have is a lot of broken ornaments.'' Two of the three physicians on the NAS panel, Lawrence Brown and Herbert Kleber, agree. They deny their report established anything like a scientific link between lower HIV rates and needle exchanges. ''The existing data is flawed,'' says Kleber, executive vice president for medical research at Columbia University. ''NEPs may, in theory, be effective, but the data doesn't prove that they are.''

Some needle-exchange advocates acknowledge the dearth of hard science. Don Des Jarlais, a researcher at New York's Beth Israel Medical Center, writes in a 1996 report that ''there has been no direct evidence that participation is associated with a lower risk'' of HIV infection. Lurie, writing in the American Journal of Epidemiology, says that ''no one study, on its own, should be used to declare the programs effective.'' Nevertheless, supporters insist, the ''pattern of evidence'' is sufficient to march ahead with the programs.

MIXED RESULTS

That argument might make sense if all the best studies created a happy, coherent picture. They don't. In fact, more-recent and better-controlled studies cast serious doubt on the ability of NEPs to reduce HIV infection.

In 1996, Vancouver researchers followed 1,006 intravenous cocaine and heroin users who visited needles exchanges, conducting periodic blood tests and interviews. The results, published in the British research journal AIDS, were not encouraging: About 40 percent of the test group reported borrowing a used needle in the preceding six months. Worse, after only eight months, 18.6 percent of those initially HIV negative became infected with the virus.

Dr. Steffanie Strathdee, of the British Columbia Centre for Excellence in HIV/AIDS, was the report's lead researcher. She found it ''particularly disturbing'' that needle-sharing among program participants, despite access to clean syringes, is common. Though an NEP advocate, Strathdee concedes that the high HIV rates are ''alarming.'' Shepherd Smith, founder of Americans for a Sound AIDS/HIV Policy, says that compared to similar drug-using populations in the United States, the Vancouver results are ''disastrous.''

Though it boasts the largest needle-exchange program in North America, Vancouver is straining under an AIDS epidemic. When its NEP began in 1988, HIV prevalence among IV drug users was less than 2 percent. Today it's about 23 percent, despite a citywide program that dispenses 2.5 million needles a year.

A 1997 Montreal study is even more troubling. It showed that addicts who used needle exchanges were more than twice as likely to become infected with HIV as those who didn't. Published in the American Journal of Epidemiology, the report found that 33 percent of NEP users and 13 percent of nonusers became infected during the study period. Moreover, about three out of four program clients continued to share needles, roughly the same rate as nonparticipants.

The results are hard to dismiss. The report, though it did not rely on truly random selection, is the most sophisticated attempt so far to overcome the weaknesses of previous NEP studies. Researchers worked with a statistically significant sample (about 1,500), established test groups with better controls and lower dropout rates, and took greater care to account for ''confounding variables.'' They followed each participant for an average of 21 months, taking blood samples every six months.

Blood samples don't lie. Attending an NEP was ''a strong predictor'' of the risk of contracting HIV, according to Julie Bruneau of the University of Montreal, the lead researcher. Bruneau's team then issued a warning: ''We believe caution is warranted before accepting NEPs as uniformly beneficial in any setting.''

The findings have sent supporters into a frenzy, with many fretting about their impact on public funding. ''While it was important that the study be published,'' Peter Lurie complained to one magazine, ''whether that information outweighs the political costs is another matter.'' In a bizarre New York Times op-ed, Bruneau recently disavowed some of her own conclusions. She said the results could be explained by higher-risk behavior engaged in by program users, a claim anticipated and rejected by her own report.

And that objection lands NEP supporters on the horns of a dilemma: Any control weaknesses in the Canadian reports are also present in the pro-exchange studies. ''You can't have it both ways,'' Kleber says. ''You can't explain away Montreal and Vancouver without applying the same scientific measures to the studies you feel are on your side.''

Defending an expansion of the programs, AIDS policy czar Thurman says, ''We need to let science drive the issue of needle exchange.'' The best that can be said for the evidence so far is that it doesn't tell us much. Without better-controlled studies, science cannot be hauled out as a witness for either side of the debate.

DEATH-DEFYING LOGIC

Critics of needle exchanges are forced to admit there's a certain logic to the concept,

at least in theory: Give enough clean needles to an IV drug user and he won't bum contaminated ''spikes'' when he wants a fix.

But ex-addicts themselves, and the medical specialists who treat them, say it isn't that simple. ''People think that everybody in shooting galleries worries about AIDS or syphilis or crack-addicted babies. That's the least of people's worries,'' says Jean Scott, the director of adult programs at Phoenix House in Manhattan. ''While they're using, all they can think about is continuing to use and where they're going to get their next high.''

Indeed, the NEP crowd mistakenly assumes that most addicts worry about getting AIDS. Most probably don't: The psychology and physiology of addiction usually do not allow them the luxury. ''Once they start pumping their system with drugs, judgment disappears. Memory disappears. Nutrition disappears. The ability to evaluate their life needs disappears,'' says Eric Voth, the chairman of the International Drug Strategy Institute and one of the nation's leading addiction specialists. ''What makes anybody think they'll make clean needles a priority?''

Ronn Constable, now a program director at Teen Challenge International in New York, says his addiction consumed him 24 hours a day, seven days a week. Addicts call it ''chasing the bag'': shooting up, feeling the high, and planning the next hit before withdrawal. ''For severe addicts, that's all they do,'' Constable says. ''Their whole life is just scheming to get their next dollar to get their next bundle of dope.''

Ernesto Margaro fed his heroin habit for seven years, at times going through 40 bags—or $400—a day. He recalls walking up to a notorious drug den in the Bedford-Stuyvestant section of Brooklyn with a few of his friends. A man stumbled out onto the sidewalk and collapsed. They figured he was dying.

Margaro opened a fire hydrant on him. ''When he finally came to, the first thing we asked him was where he got that dope from,'' he says. ''We needed to know, because if it made him feel like that, we were going to take just a little bit less than he did.''

This is typical of the hard-core user: The newest, most potent batch of heroin on the streets, the one causing the most deaths, is in greatest demand. ''They run around trying to find out who the dead person copped from,'' says Scott, a drug-treatment specialist with 30 years' experience. ''The more deaths you have, the more popular the heroin is. That's the mentality of the addict.''

NEEDLE ENTREPRENEURS

Some younger addicts may at first be fearful of the AIDS virus, though that concern probably melts away as they continue to shoot up. But the hard-core abusers live in a state of deep denial. ''I had them dying next to me,'' Constable says. ''One of my closest buddies withered away. I never thought about it.''

Needle-exchange programs are doing brisk business all over the country: San Diego, Seattle, Denver, Baltimore, Boston, and beyond. San Francisco alone hands out 2.2 million needles a year. If most addicts really aren't worried about HIV, then why do they come?

In most states, it is difficult to buy drug paraphernalia without a prescription. That makes it hard, some claim, to find syringes. But drug users can get them easily enough on the streets. The main reason they go to NEPs, it seems, is that the outlets are a free source of needles, cookers, cotton, and bleach. They're also convenient. They are run from storefronts or out of vans, and they operate several days a week at regular hours.

And they are hassle-free. Users are issued ID cards that entitle them to carry drug paraphernalia wherever they go. Police are asked to keep their distance lest they scare off clients.

Most programs require that users swap their old needles for new equipment, but people aren't denied if they ''forget'' to bring in the goods. And most are not rigid one-for-one exchanges. Jose Castellar works an NEP van at the corner of South Fifth Street and Marcy Avenue in Brooklyn. On a recent Thursday afternoon, a man walked up and mechanically dropped off 18 syringes in a lunch sack. Castellar recognized him as a regular, and gave him back 28—standard procedure. ''It's sort of like an incentive,'' he explains.

It's the ''incentive'' part of the program that many critics find so objectionable. An apparently common strategy of NEP clients is to keep a handful of needles for themselves and sell the rest. Says Margaro, ''They give you five needles. That's $2 a needle, that's $10. That's your next fix. That's all you're worried about.''

It may also explain why many addicts who know they are HIV positive—older users such as Walter—still visit NEPs. Nobody knows how many there are, because no exchanges require blood tests. In New York, health officials say that perhaps half of the older IV addicts on the streets are infected.

Defenders admit the system is probably being abused. ''An addict is an addict. He's going to do what he needs to maintain his habit,'' says Easterlins, who works a van for ADAPT, one of New York City's largest needle-exchange programs. Naomi Fatt, ADAPT's executive director, is a little more coy. ''We don't knowingly participate'' in the black market for drug paraphernalia, she says. And if NEP clients are simply selling their syringes to other drug users? ''We don't personally care how they get their sterile needles. If that's the only way they can save their lives is to get these needles on the streets, is that really so awful?''

NAME YOUR POISON

In the debate over federal funding for NEPs, herein lies their siren song: Clean needles save lives. But there just isn't much evidence, scientific or otherwise, that free drug paraphernalia is protecting users.

The reason is drug addiction. Addicts attending NEPs continue to swap needles and engage in risky sexual behavior. All the studies that claim otherwise are based on self-reporting, an unreliable gauge.

By not talking much about drug abuse, NEP activists effectively sidestep the desperation created by addiction. When drug users run out of money for their habit, for example, they often turn to prostitution—no matter how many clean needles are in the cupboard. And the most common way of contracting HIV is, of course, sexual intercourse. ''Sex is a currency in the drug world,'' says Horton of Phoenix House. ''It is a major mode of HIV infection. And you don't address that with needle exchange.''

At least a third of the women in treatment at the Brooklyn Teen Challenge had been lured into prostitution. About 15 percent of the female clients in Manhattan's Phoenix House contracted HIV by exchanging sex for drugs. In trying to explain the high HIV rates in Vancouver, researchers admitted ''it may be that sexual transmission plays an important role.''

Kleber, a psychiatrist and a leading addiction specialist, has been treating drug abusers for 30 years. He says NEPs, even those that offer education and health services, aren't likely to become beacons of behavior modification. ''Addiction erodes your ability to change your behavior,'' he says. ''And NEPs have no track record of changing risky sexual behavior.''

Or discouraging other reckless choices, for that matter. James Curtis, the director of addiction services at the Harlem Hospital Center, says addicts are not careful about cleanliness and personal hygiene, so they often develop serious infections, such as septicemia, around injection areas. ''It is false, misleading, and unethical,'' he says, ''to give addicts the idea that they can be intravenous drug abusers without suffering serious self-injury.''

A recent University of Pennsylvania study followed 415 IV drug users in Philadelphia over four years. Twenty-eight died during the study. Only five died from causes associated with HIV. Most died for other reasons: overdoses, homicide, heart disease, kidney failure, liver disease, and suicide. Writing in the New England Journal of Medicine, medical professors George Woody and David Metzger said that compared to the risk of HIV infection, the threat of death to drug abusers from other causes is ''more imminent.''

That proved tragically correct for John Watters and Brian Weil, two prominent founders of needle exchanges who died of apparent heroin overdoses. Indeed, deaths from drug dependence in cities with active needle programs have been on an upward trajectory for years. In New York City hospitals, the number has jumped from 413 in 1990 to 909 in 1996.

GOOD AND READY?

Keeping drug users free of AIDS is a noble—but narrow—goal. Surely the best hope of keeping them alive is to get them off drugs and into treatment. Research from the National Institute for Drug Abuse (NIDA) shows that untreated opiate addicts die at a rate seven to eight times higher than similar patients in methadone-based treatment programs.

Needle suppliers claim they introduce addicts to rehab services, and Shalala wants local officials to include treatment referral in any new needle-exchange programs. But program staffers are not instructed to confront addicts about their drug habit. The assumption: Unless drug abusers are ready to quit on their own, it won't work.

This explains why NEP advocates smoothly assert they support drug treatment, yet gladly supply users with all the drug-injection equipment they need. ''The idea that they will choose on their own when they're ready is nonsense,'' says Voth, who says he's treated perhaps 5,000 abusers of cocaine, heroin, and crack. ''Judgment is one of the things that disappears with addiction. The worst addicts are the ones least likely to stumble into sobriety and treatment.''

According to health officials, most addicts do not seek treatment voluntarily, but enter through the criminal-justice system. Even those who volunteer do so because of intense pressure from spouses or employers or raw physical pain from deteriorating health. In other words, they begin to confront some of the unpleasant consequences of their drug habit.

''The only way a drug addict is going to consider stopping is by experiencing pain,'' says Robert Dupont, a clinical professor of psychiatry at Georgetown University Medical School. ''Pain is what helps to break their delusion,'' says David Batty, the director of Teen Challenge in Brooklyn. ''The faster they realize they're on a dead-end street, the faster they see the need to change.''

JUSTICE FOR JUNKIES

Better law enforcement, linked to drug courts and alternative sentencing for offenders, could be the best way to help them see the road signs up ahead. ''It is common for an addict to say that jail saved his life,''

says Dr. Janet Lapey, the president of Drug Watch International. ''Not until the drugs are out of his system does he usually think clearly enough to see the harm drugs are causing.''

The key is to use the threat of jail time to prod offenders into long-term treatment. More judges seem ready to do so, and it's not hard to see why: In 1971, about 15 percent of all crime in New York was connected to drug use, according to law enforcement officials. Today it's about 85 percent.

''There has been an enormous increase in drug-related crime because the only response of society has been a jail cell,'' says Brooklyn district attorney Charles Hynes. ''But it is morally and fiscally irresponsible to warehouse nonviolent drug addicts.'' Since 1990, Hynes has helped reshape the city's drug-court system to offer nonviolent addicts a choice: two to four years in prison or a shot at rehabilitation and job training.

Many treatment specialists believe drug therapies will fail unless they're backed up with punishment and other pressures. Addicts need ''socially imposed consequences'' at the earliest possible stage—and the simplest way is through the criminal-justice system, says Dupont, a former director of NIDA. Sally Satel, a psychiatrist specializing in addiction, says ''coercion can be the clinician's best friend.''

That may not be true of all addicts, but it took stiff medicine to finally get the attention of Canzada Edmonds, a heroin user for 27 years. ''I was in love with heroin. I took it into the bathroom, I took it into church,'' she says. ''I was living in a fantasy. I was living in a world all to myself.''

And she was living in Washington, D.C., which in the early 1990s had passed tougher sentencing laws for felony drug offenders. After her third felony arrest, a district judge said she faced a possible 30-year term in prison—or a trip to a residential rehab program. Edmonds went to Teen Challenge in New York in January 1995 and has been free of drugs ever since.

REDUCING HARM

Needle-exchange advocates chafe at the thought of coercing drug users into treatment. This signals perhaps their most grievous omission: They refuse to challenge the self-absorption that nourishes drug addiction.

In medical terms, it's called ''harm reduction''—accept the irresponsible behavior and try to minimize its effects with health services and education. Some needle exchanges, for example, distribute guides to safer drug use. A pamphlet from an NEP in Bridgeport, Connecticut, explains how to prepare crack cocaine for injection (see box). It then urges users to ''take care of your veins. Rotate injection sites. . . .''

''Harm reduction is the policy manifestation of the addict's personal wish,'' says Satel, ''which is to use drugs without consequences.'' The concept is backed by numerous medical and scientific groups, including the American Medical Association, the American Public Health Association, and the National Academy of Sciences.

In legal terms, harm reduction means the decriminalization of drug use. Legalization advocates, from financier George Soros to the Drug Policy Foundation, are staunch needle-exchange supporters. San Francisco mayor Willie Brown, who presides over perhaps the nation's busiest needle programs, is a leading voice in the harm-reduction chorus. ''It is time,'' he has written, ''to stop allowing moral or religious tradition to define our approach to a medical emergency.''

It is time, rather, to stop medicalizing what is fundamentally a moral problem. Treatment communities that stress abstinence, responsibility, and moral renewal, backed up by tough law enforcement, are the best hope for addicts to escape drugs and adopt safer, healthier lifestyles.

Despite different approaches, therapeutic communities share at least one goal: drug-free living. Though they commonly regard addiction as a disease, they all insist that addicts take full responsibility for their cure. Program directors aren't afraid of confrontation, they push personal responsibility, and they tackle the underlying causes of drug abuse.

The Clinton administration already knows these approaches are working. NIDA recently completed a study of 10,010 drug abusers who entered nearly 100 different treatment programs in 11 cities. Researchers looked at daily drug use a year before and a year-after treatment. Long-term residential settings—those with stringent anti-drug policies—did best. Heroin use dropped by 71 percent, cocaine use by 68 percent, and illegal activity in general by 62 percent.

NEP supporters are right to point out that these approaches are often expensive and cannot reach most of the nation's estimated 1.2 million IV drug users. Syringe exchanges, they say, are a cost-effective alternative.

NEPs may be cheaper to run, but they are no alternative, they offer no remedy for the ravages of drug addiction. The expense of long-term residential care surely cannot be greater than the social and economic costs of failing to liberate large populations from drug abuse.

Phoenix House, with residential sites in New York, New Jersey, California, and Texas, works with about 3,000 abusers a day. It is becoming a crucial player in New York City's drug courts, targeting roughly 500 adolescents and 1,400 adults. ''Coerced treatment works better than noncoerced,'' says Anne Swern, a deputy district attorney in Brooklyn. ''Judicially coerced residential treatment works best of all.''

Nonviolent drug felons are diverted into the program as part of a parole agreement or as an alternative to prison. They sign up for a tightly scripted routine of counseling, education, and work, with rewards and sanctions to reinforce good behavior. Though clients are not locked in at night, police send out ''warrant teams'' to make regular visits.

Prosecutors and judges like the approach because of its relatively high retention rates. Sixty percent graduate from the program, Swern says, compared to the 13 percent national average for all drug programs. Graduates usually undergo 24 months of treatment and must find housing and employment. Says Horton, ''The ability of a judge to tell an addict it's Rikers Island or Phoenix House is a very effective tool.''

Narcotics Anonymous (NA), like Alcoholics Anonymous (AA), is a community-based association of recovering addicts. Since its formation in the 1950s, NA has stressed the therapeutic value of addicts helping other addicts; its trademark is the weekly group meeting, run out of homes, churches, and community centers.

''You get the benefit of hearing how others stayed clean today, with the things life gave them,'' says Tim, a 20-year heroin user and NA member since 1995. NA offers no professional therapists, no residential facilities, no clinics. Yet its 12-step philosophy, adapted from AA, is perhaps the most common treatment strategy in therapeutic communities.

The 12-step model includes admitting there is a problem, agreeing to be open about one's life, and making amends where harm has been done. The only requirement for NA membership is a desire to stop using. ''Complete and continuous abstinence provides the best foundation for recovery and personal growth,'' according to NA literature.

As in AA, members must admit they cannot end their addiction on their own. The philosophy's second step is the belief that ''a power greater than ourselves can restore us to sanity.'' NA considers itself nonreligious, but urges members to seek ''spiritual awakening''—however they choose to define it—to help them stay clean.

Teen Challenge, founded in 1958 by Pentecostal minister David Wilkerson, is a pioneer in therapeutic communities and has achieved some remarkable results in getting addicts off drugs permanently. One federal study found that 86 percent of the program's graduates were drug free seven years after completing the regimen. On any given day, about 2,500 men and women are in its 125 residential centers nationwide.

The program uses an unapologetically Christian model of education and counseling. Moral and spiritual problems are assumed to lie at the root of drug addiction. Explains a former addict, who was gang-raped when she was 13, ''I didn't want to feel what I was feeling about the rape—the anger, the hate—so I began to medicate. It was my way of coping.'' Though acknowledging that the reasons for drug use are complex, counselors make Christian conversion the linchpin of recovery. Ronn Constable says he tried several rehab programs, but failed to change his basic motivation until he turned to faith in Christ. He has been steadily employed and free of drugs for 11 years.

''Sin is the fuel behind addiction,'' Constable says, ''but the Lord says he will not let me be tempted beyond what I can bear.'' He is typical of former addicts at Teen Challenge, who say their continued recovery hinges on their trust in God and obedience to the Bible. Warns Edmonds, ''If you do not make a decision to turn your will and your life completely over to the power of God, then you're going to go right back.'' Or as C.S. Lewis wrote in another context, ''The hardness of God is kinder than the softness of man, and His compulsion is our liberation.''

BRAVE NEW WORLD?

Whether secular or religious, therapeutic communities all emphasize the ''community'' part of their strategy. One reason is that addicts must make a clean break not only from their drug use, but from the circle of friends who help them sustain it. That means a 24-hour-a-day regimen of counseling, education, and employment, usually for 12 to 24 months, safely removed from the culture of addiction.

This is the antithesis of needle-exchange outlets, which easily become magnets for drug users and dealers. Nancy Sosman, a community activist in Manhattan, calls the Lower East Side Harm Reduction Center and Needle Exchange Program ''a social club for junkies.'' Even supporters such as Bruneau warn that NEPs could instigate ''new socialization'' and ''new sharing networks'' among otherwise isolated drug users. Some, under the banner of AIDS education, hail this function of the programs. Allan Clear, the executive director of New York's Harm Reduction Coalition, told one magazine, ''There needs to be a self-awareness of what an NEP supplies: a meeting place where networks can form.''

Meanwhile, activists decry a lack of drug paraphernalia for eager clients. They call the decision to withhold federal funding ''immoral.'' They want NEPs massively expanded, some demanding no limits on distribution. Says one spokesman, ''The one-to-one rule in needle exchange isn't at all connected to reality.'' New York's ADAPT program gives out at least 350,000 needles a year. ''But to meet the demand,'' says Fatt, ''we'd need to give out a million a day.

A million a day? Now that would be a Brave New World: Intravenous drug users with lots of drugs, all the needles they want, and police-free zones in which to network. Are we really to believe this strategy will contain the AIDS virus?

This is not compassion, it is ill-conceived policy. This is not ''saving lives,'' but abandoning them—consigning countless thousands to drug-induced death on the installment plan. For when a culture winks at drug use, it gets a population of Walters: ''Don't get the idea in you mind you're going to control it.''

Mr. COBURN. Mr. Chairman, there is not anybody that I probably respect more than the former Surgeon General, C. Everett Koop. When I saw a copy of the letter that he sent our Speaker yesterday, I knew something was wrong. So I called him and I asked him about his letter.

Mr. Chairman, I asked him the following four questions. I said, ''Dr. Koop, have you read these studies?'' What was the answer? No. ''Dr. Koop, do you think needle exchange programs, as presently designed in the United States, will work?'' The answer was no. ''Dr. Koop, why did you write the letter?'' The answer: ''Because in the areas in Europe where I have seen these programs work, where every needle is actually accounted for, there is some hope that they work.''

□ 1145

He then went on to offer the fact that he knew that in communities where there is some drug abuse, and he mentioned specifically Harlem, that a needle exchange program would never work because the culture of the addicts in our society is they will not account for the needle. They have no idea where they left them.

So, as we consider his letter and his conversation with me, it falls prey to the same problems that we have seen on this debate, and that is the people who believe it is good have never read the studies.

The science there undoubtedly shows that we have an increase in Hepatitis B, Hepatitis C, and HIV. With every study that has been done thus far, if we account for those that are in the study at the beginning and at the end and because we want to help people, we are about to do something very, very wrong.

I hope to be able to speak on the subject again.

Mr. Chairman, I include for the RECORD the following letter from C. Everett Koop:

C. EVERETT KOOP, M.D., SC.D., SURGEON GENERAL (RET.), U.S. PUBLIC HEALTH SERVICE,
Washington, DC, July 26, 1999.

Hon. DENNIS HASTERT,
Speaker, U.S. House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Having worked on the HIV/AIDS epidemic since its emergence in the U.S., I am now writing to express my strong belief that local programs of clean needle exchange can be an effective means of preventing the spread of the disease without increasing the use of illicit drugs. While I do not believe that clean needle programs are a panacea for all settings, it is clear from careful and well-documented public health studies that such programs have worked in many areas and have great potential for making further reductions in the incidence of new infections.

Consequently, it would be counterproductive for the Congress to enact a Federal measure that would limit the ability of local and State public health agencies and voluntary organizations to carry out needle exchange programs. Such action by the Congress would undoubtedly result in HIV infections that could have been prevented and would unnecessarily enlarge and prolong the epidemic. If local authorities or organizations determine that needle exchange programs are appropriate to the epidemic as it affects their communities, the Congress should allow them to use all possible measures and funding sources to stem the spread of this deadly disease.

I urge you to oppose any effort to limit the public health response to the AIDS epidemic.

Sincerely,
C. EVERETT KOOP, M.D., SC.D.

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

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to extend the debate by 10 minutes on each side. I believe that the proponent of the amendment will find that agreeable.

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

There was no objection.

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

Mr. Chairman, first of all, some studies have been cited by the gentleman from Kansas (Mr. TIAHRT) and the gentleman from Oklahoma (Mr. COBURN).

We have a response from General McCaffrey. General McCaffrey does make it clear that he supports the language that is in this bill. The language in this bill was put in in full committee by a vote of 32–23, a bipartisan vote, to say no Federal funds can be used for free needle exchange programs.

All we are asking, Mr. Chairman, is that this body agree to that restriction. We ask for two reasons. The principal reason is that that is our only jurisdiction, the use of Federal funds, for which we are responsible.

The second is that we will show very compelling evidence that the District of Columbia knew what it was doing when it started up a program which is one of the most effective in the country.

Now, General McCaffrey supports the language in this bill. But he also makes it clear that he has never supported a prohibition on local jurisdictions' efforts to implement a needle exchange program.

There are 113 local needle exchange programs in this country. They are working with various levels of success, but all of them successful. In fact, in the District of Columbia, two-thirds of the people that had been exposed to HIV through dirty needles are no longer being exposed as a result of the effectiveness of the program in the District of Columbia.

Here we have a few hundred pages. They are not numbered. But these are the summaries of dozens of exhaustive studies by all of the organizations that we would want to look into this issue. They have all concluded that the needle exchange program works. They run the gamut from the National Institutes of Health, the Center for Disease Control, the Department of Health and Human Services, the National Association of Mental Health and Substance Abuse.

This program is endorsed by the American Medical Association, any number of organizations that are prestigious and credible.

Mr. Chairman, when I realized that I was going to have to debate the gentleman from Kansas (Mr. TIAHRT) on this issue and take the position in favor of needle exchange programs, I groaned. I did not want to do this. Because on the face of it, my initial reaction was, my gosh, why would we ever give free needles to drug addicts?

Well, the fact is, Mr. Chairman, that the facts are compelling. The District of Columbia knew exactly what it was doing when it started this program. Let me share with my colleagues some of these facts.

The District of Columbia has an HIV–AIDS epidemic, one of the worst in the country. They have the highest rate of new HIV infections of any jurisdiction in the entire country, the worst.

Intravenous drug use is the second leading cause of HIV transmission/AIDS. That is what we are talking about basically. It accounts for more than a quarter of all the new infections. Deaths attributed to AIDS from HIV transmission in D.C. is more than seven times the national average.

Listen to this please, my colleagues: AIDS is the leading cause of death for all city residents between the ages of 30 and 44, the leading cause of death. African-Americans are the hardest hit by intravenous transmission from dirty needles of the HIV virus. Ninety-six percent of those infected with HIV as a result of intravenous drug use in the District of Columbia are African-Americans.

Women and children are also disproportionately affected. Drug use is the highest mode of transmission of HIV for women in D.C. Women are getting AIDS at the fastest rate. This is the most serious aspect of the AIDS epidemic in D.C., which is the worst in the country. And the principal way they get AIDS is through dirty needles.

Seventy-five percent of the babies born with HIV, and what could be more disturbing to us, what could break our hearts worse than to have a baby born with AIDS, 75 percent of the babies born with HIV are infected as a result of dirty needles.

The District of Columbia, my colleagues, has the worst problem with HIV transmission from dirty needles, the worst in the country. And yet it is

the only jurisdiction in the entire country that is prohibited from implementing this program.

113 other jurisdictions throughout the country have this program. All of the experts say it is effective. D.C. has the worst problem but, because of this Congress, they cannot use the one program that has been proven to be effective. That is why we oppose this amendment.

We are not even suggesting that we use Federal funds. All we are asking is we stick with the language that says no Federal funds can be used for a needle exchange program.

But gosh, please let the residents of the District of Columbia and particularly its elected leaders, elected directly by the citizens of the District of Columbia, let them be able to use their local funds and let private donations be used for this program. It is a small program. It is very inexpensive. It is run by the Whitman-Walker Clinic, a very credible organization. They do wonderful work.

The reason why these programs are so effective is because, when people come in to get free needles, they then have to get registered, that way we know who are the drug addicts. They then go into counseling. They then go into treatment. They will be exposed to the whole gamut of programs designed to treat their drug addiction and to make them healthy and to protect their babies.

This is the gateway; this is the way we get access to people who desperately need help. To prevent the District of Columbia from using this gateway to cure people, to get them off their addiction, to save these babies, we need this program.

Again, let me just remind my colleagues, we are not even asking for Federal funds. We are asking them to support language that says no Federal funds can be used for this program.

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

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

Mr. Chairman, I want to remind the Members that under current law there is a program that does distribute needles here in the District of Columbia. It is called ''Prevention Works.''

There is nothing in current law that I am trying to preserve that would prevent that from continuing.

Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Kansas (Mr. TIAHRT) that will reaffirm the Federal Government's commitment to the war on drugs by prohibiting Federal and District funds from being used to conduct needle exchange programs. These programs are harmful to communities and undermines our Nation's drug control efforts.

Drug abuse continues to ravage our community, our schools, and our children. Heroin use is again on the rise. Thousands of children will inject hardcore drugs, like heroin and cocaine, for the first time this year and many will die.

To deal with this problem, we must have a firm commitment by the Federal Government to end the cycle of addiction and abuse that destroys so many lives.

Providing free hypodermic needles to addicts so they can continue to inject illegal drugs sends a terrible message to our children that Congress has given up on the fight to stop illegal drug use and that the Federal Government implicitly condones this illegal activity.

As lawmakers, we have a responsibility to rise up and fight against the use and spread of drugs everywhere we can. We should start by making it harder, not easier, to practice this deadly habit. We should not tell our children do not do drugs, on the one hand, while giving them free needles to shoot up with in the other.

We need a national drug control policy which emphasizes education, interdiction, prevention, and treatment, not subsidies for addicts.

The results of community-based needle exchange programs have been disastrous. Needle exchange programs result in towns with higher crime, schools that are littered with used drugs, paraphernalia, and neighborhoods that are magnets for drug addicts and the high-risk behavior that accompany them.

The medical evidence behind these dangerous programs is inconclusive at best. Studies have shown that addicts who use needle exchange programs are more likely to contract HIV or other blood-borne viruses.

A recent study published by the American Journal of Epidemiology concluded that there was no indication that needle exchanges protected against blood-borne infections. In fact, the study concluded ''there was no indication of a protective effect of syringe exchange against HBV or HCV infection. Indeed, highest incidence of infection occurred among current users of the exchange, even after adjusting for confounding variables.''

Here in the District of Columbia, the problem persists. It has been noted that the District of Columbia has the highest incidence of new HIV infection in the country, and yet we have had needle exchange programs here for 7 years.

It is time to halt any government support of this. Support the Tiahrt amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON) the only Member of this body who is elected by the citizens of the District of Columbia.

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

Mr. Chairman, this is the most inflammatory and heartless of the harshly anti-Democratic amendments before us today. It says ''drop dead'' to the people I represent.

I oppose this amendment because it is outrageously discriminatory to pick out one jurisdiction in the United States that may not use its own funds to save the lives of its own people.

We have seen an attempt to take back the words of Dr. C. Everett Koop. Nothing can take back what he said. He expresses his ''strong belief that local programs of clean needle exchange can be an effective means of preventing the spread of the disease.'' And he says that if local authorities and organizations determine it is appropriate, ''Congress should allow them to use all possible measures.''

My police chief, Charles Ramsey, said that ''the program is necessitated by the need to effectively combat the spread of HIV-AIDS.'' He says, ''it is well-managed and has an exemplary return rate.''

He says, ''I have received no reports which indicate that the program has been abused in any way or has created serious public safety problems in the District.''

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Mr. Speaker, AIDS is out of control in my district, especially in the African American community. The program is privately run by the Whitman-Walker Clinic. It is nationally recognized.

A vote for the Tiahrt amendment assures a veto of the entire appropriation. I ask Members to defeat this amendment and rescue not only my appropriation but the potential survivors of the AIDS epidemic in the District.

Mr. TIAHRT. Mr. Chairman, I would like to remind the body that the President did sign the current law. That is what we are trying to achieve here.

Mr. Chairman, I yield 2½ minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the gentleman from Kansas for his lead on this amendment. It is just hard for me to understand what kind of debate we are having here. This would be, I am trying to think of equivalents, of trying to battle cigarettes by giving kids free low-tar cigarettes; or trying to battle breast cancer by giving people things that cause heart disease.

Perhaps a better example would be to say that we are really worried about some kind of material, theoretically, let us say asbestos that is in the cigarette package, so we are going to give kids packages of cigarettes to smoke while we are going to make sure that the packaging does not damage them.

The fact is that heroin is a terrible scourge not only to the individual but to the communities involved. To argue that by facilitating this habit by giving them clean needles to fight another disease is absurd on the face of it. The fact is that studies, quite frankly, have been done more methodologically correct, such as the Montreal and the

Vancouver studies, whereas other statistical studies have been assessed by the Statistical Assessment Service as not meeting those standards.

I would point out, for example, Montreal: ''We have yet to hear a cogent argument that would allay our concerns that needle exchange programs may facilitate the formation of new sharing groups gathering isolated IDUs, a scenario that is consistent with our findings.''

Vancouver now has the highest heroin death rate in North America and is referred to as Canada's ''drugs and crime capital,'' from the Washington Post in the spring of 1997.

UPI had a story last July 29, ''Chief: Vancouver Has Lost Drug War.'' British Columbia's police chief claims the city has lost the war on drugs and now the city is proposing to give heroin addicts free heroin in addition to the free needles.

The ONDCP's visit, some of the observations on facts are, for example, that the Vancouver needle exchange program is one of the largest in the world. It has distributed over 1 million needles annually.

B. HIV rates among participants in the needle exchange program are higher than the HIV rate among drug users who do not participate. So in the same heroin drug users, it is higher if you participate in the clean needles program in the Vancouver, which is a statistically accurate study, not a random sample picked up to justify something.

The death rate due to illegal drugs in Vancouver has skyrocketed since the needle exchange program was introduced. In 1988, 18 deaths were attributed to drugs; in 1993, 200 were attributed to drugs. The very thing that this program is supposed to be helping is accelerating and fixing one disease by enabling and expanding another disease and it is absurd.

Mr. Chairman, I include the ONDCP Vancouver Needle Exchange Trip Report for the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF NATIONAL DRUG CONTROL POLICY,

Washington, DC, April 6, 1998.

INFORMATION—MEMORANDUM FOR THE DIRECTOR THROUGH: THE DEPUTY DIRECTOR; FROM: STRATEGY (D.B. DES ROCHES)

VANCOUVER NEEDLE EXCHANGE TRIP REPORT

1. Purpose: To provide you with field observations on needle exchange and drug abuse in Vancouver, Canada.

2. General; You had directed that Dr. Adger and I visit the Vancouver Needle Exchange in light of the high incidence of HIV among needle exchange participants and the skyrocketing death rate due to drug overdose in Vancouver. Jane Sanville of ODR joined the trip because of her expertise in the field of AIDS. We spoke with law enforcement and public health officials, as well as with the scientists who studied the needle exchange and those who run the needle exchange. (Trip Schedule at TAB 1). Our visit to the U.S. Customs and Border Patrol at Blaine raised separate issues, which will be reported under separate cover.

3. Observations—Facts:

A. The Vancouver Needle Exchange Program (NEP) is one of the largest in the world—it has distributed over 1 million needles annually for the last ten years, and close to 2.5 million needles last year alone.

B. The HIV rates among participants in the NEP is higher than the HIV rate among injecting drug users who do not participate.

C. The death rate due to illegal drugs in Vancouver has skyrocketed since 1988, the year needle exchange was introduced. In 1988, 18 deaths were attributed to drugs; in 1993 200 deaths were attributed to drugs. The Provincial Coroner told us that in March they were averaging more than 10 deaths due to drugs per week, and were on pace for 600 deaths province-wide in 1998—mostly in Vancouver.

D. With the implementation of NAFTA, the Vancouver Port Police was disbanded. Vancouver is the most active Pacific port in North America.

E. The highest rates of property crime in Vancouver are within two blocks of the needle exchange (See maps, TAB 2).

4. Observations—Statements:

A. The single most striking point, which all interviewees stressed, was the lack of adequate drug treatment capacity in British Columbia. The head of the Vancouver-Richmond Health Board stated: ''I can have all the needles I want, but they won't give me a single drug treatment bed.'' Other health care professionals noted the fact that governmental responsibility for drug treatment has been shuffled among various ministries, and has never been a priority.

B. Every interviewee stated that the most abused injection drug in Vancouver is cocaine. This was cited repeatedly as a major reason for the failure of needle exchange to prevent HIV: cocaine abusers typically inject much more frequently than do heroin abusers.

C. Every interviewee cited the geographic features of the Downtown/Eastside (the major drug abuse area and the location of the needle exchange) as an exacerbating factor. Bounded by railyards and docks on two sides, it is an isolated and distinct area that contains most of the serious injection drug abuse and the drug trade, as well as associated prostitution and property crime. The area has a large number of single residence occupancy hotels, which all said contributed to the ''massing effect'' of addicts.

D. Every interviewee said that the average age of IV drug users has decreased in recent years.

E. Every interviewee save the Coroner pointed to the lack of turnstiles on the skytrain (elevated light rail system) as an aggravating factor, as it increased ingress for the destitute to the Downtown/Eastside area from other parts of the city.

F. The Vancouver Police interviewees stated that they had been called by other interviewees and asked what they were going to say.

G. The Director of the NEP stated that ''it is ridiculous to propose that we hand out 10 million needles a year.'' 10 million is the number he estimated would be required to accommodate the injecting cocaine users in Vancouver with one needle per injection.

H. Every interviewee stated that the primary reasons for the increase in drug abuse was the available supply of cheap drugs, and that the needle exchange had either no effect or a marginal effect on overall drug abuse.

I. The Vancouver police stated that there are inadequate drug treatment beds in the criminal justice system. Court mandated treatment is not a reality.

J. The Vancouver police stated that there was a 24 hour drug market and similar open drug injection activity in the area immediately adjacent to the needle exchange. During a drive-around with a detective from the Vancouver Drug Squad, we observed multiple instances of drug users injecting and purchasing drugs. A one block long alley typically had three or four people injecting, preparing to inject or moving from injecting drugs. While walking around the area, we frequently encountered discarded syringe wrappers and protective tips.

4. Observations—Reporter Notes:

A. Everyone save the police clearly wanted needle exchange to be a success (the police seemed to feel it was a facilitator for drug use, but officially supported it), and felt that the failure of needle exchange to stop the spread of HIV was due to three factors:

(1) The NEP was set up for heroin users: the prevalence of cocaine injection (which is much more frequent) meant that the NEP would be inadequate.

(2) Vancouver suffers from a ''nutbowl effect''—the homeless, migrants, counterculture types and disaffected, at-risk personalities tend to migrate there from around the country. Everyone pointed to social policies in other Canadian provinces, especially Alberta, which encouraged socially marginal people to move to British Colombia (by providing bus tickets).

(3) Vancouver was on the trailing edge of the AIDS epidemic: some stated that the NEP was founded just as AIDS began to surge. It was frequently asserted that ''it would have been much worse without NEP.'' (Note—it might be interesting to evaluate other NEPs in this light—generally, NEPs in America were established on the trailing edge of the epidemic. Any claimed reduction in HIV incidence might be attributable to the normal course of the disease).

B. All the ONDCP participants were amazed at the lack of treatment capacity in Vancouver. When we asked interviewees about this, they too were outspoken about inadequate treatment. Apparently, there is a requirement for addicts to abstain for three months prior to entering one of the few treatment spaces. Catch 22 is not just an American invention.

C. The academics who studied the NEP seemed extremely concerned by the increase in HIV among NEP participants, and devoted much of our time together to explaining how NEP frequent users were a much more marginalized and at-risk segment of society than were infrequent NEP users. When asked if there were any studies comparing NEP users and non-NEP users, the study director responded that they had no way to interview non-NEP users.

D. Property crime of all sorts in Vancouver seems to be highest in the areas around the NEP building. This is sort of a chicken-egg thing: it's hard to gauge cause and effect.

E. Public support for needle exchange seemed to exist, but only so long as the NEP was confined to Downtown-Eastside. Expansion of the NEP (by vans) was opposed at a public meeting on the day of our departure.

F. All interviewees save the police referred to the NEP's efforts to maintain relations with the community, and their efforts to keep discarded needles away from schools, etc. However, in a private interview, an elementary schoolteacher said that children at area schools are not allowed outside at recess for fear of needles. I was unable to verify this statement.

5. Conclusions:

A. There has been a trade-off between needle exchange and drug treatment. This is the single most important lesson learned in Vancouver. The trade-off was not explicit, and was probably not deliberate. It may have resulted from normal bureaucratic politics, or the shuffling of responsibilities among ministries. Nevertheless, it has evolved and is allowed to persist.

(1) Absent any mandate for drug treatment, NEPs will focus on what they can afford and do best—exchange needles.

(2) Once the NEP was instituted, there seemed to be no imperative for the establishment or expansion of drug treatment. All interviewees stated that NEP was not a ''silver bullet,'' but reality suggests that it is treated as such.

B. In the absence of treatment, the potential benefits of needle exchange programs are marginalized for the most at-risk. The single most common explanation given for the prevalence of HIV among NEP participants was that the NEP participants were at a greater risk than non-NEP participants. Harm reduction believes that by giving addicts the means and knowledge to safely use drugs (i.e. needles), most of the negative effects of drug abuse can be alleviated. Yet this approach still requires that the addict responsibly use the needles he is given; the HIV statistics show that he does not. For an at-risk population paternal approaches which—as a last resort—can supplant irresponsible behavior will probably be more effective. With an at-risk population, without access to drug treatment, needle exchange appears to be nothing more than a facilitator for drug abuse.

C. High-purity cocaine and heroin is becoming increasingly prevalent and will pose challenges across the board. Vancouver is literally swamped with drugs. Large seizures appear to have no effect at the street level. This influx of high-purity heroin and cocaine is a major cause of both the high HIV rates in Vancouver as well as the high death rate. We should examine high-purity drugs as a separate threat, and consider a national initiative along the lines of our methamphetamine initiative.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. WYNN) who represents the immediate suburb of Washington D.C., Prince Georges County.

Mr. WYNN. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in strong opposition to this amendment. It is both arrogant and misguided. It is arrogant because it attempts to impose the will of this Congress on citizens of the District of Columbia. The gentleman is from Kansas and I submit that we would never attempt to impose the will of this Congress on the citizens of Kansas and the citizens of Wichita, Kansas. We would let them spend their money the way they want to.

This amendment would say that the citizens of the District of Columbia could not spend local money the way they want to. The District of Columbia has experience with this issue. In fact, through the Whitman-Walker Clinic and using local funds, they implemented a program and the program was successful. It reduced needle sharing by two-thirds.

Mr. Chairman, that is the issue, needle sharing. Where we reduce needle sharing, we reduce the transmission of AIDS.

Now, who says this approach works? Well, the National Institute of Health says this approach works. The Center for Disease Control says this approach works. The American Medical Association says needle sharing works. The National Academy of Sciences says needle sharing works. The body of scientific evidence in America suggests this is a proper approach.

Let us not be arrogant and misguided. Let us oppose this amendment.

Mr. TIAHRT. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I thank the distinguished gentleman from Kansas for yielding me this time and rise in strong support of this amendment.

Let me get this straight, if I just heard the previous speaker criticize the Congress for trying to set some standards against the provision of needles with which the people of the District of Columbia inject deadly substances into their veins based on the argument that the Congress would never tell the people of Kansas what it can or cannot do.

I would remind the gentleman that there are all sorts of, thousands upon thousands upon thousands of Federal regulatory mandates that tell the people of Kansas precisely what they can and cannot do. For heaven's sake, it is this Congress that just a few years ago told the people of Kansas what size toilets they can build and what size toilets they can use and where they can build homes and where they can build roads.

Very frankly, Mr. Chairman, I would much rather see the Congress of this United States step in and save lives by telling people, no, we are not going to furnish you and make it easier for you to inject deadly mind-altering substances into your veins than it would be for the Congress to continue to tell people what they might do productively with their lives.

I would also remind our colleagues of a very basic principle. If you give people the means to do something and encourage them to do it, well, for heaven's sake, no surprise, they will do it.

Now, I know people on the other side, the gentlemen from Maryland, both of them, who will be speaking on this speak very eloquently, very passionately and very sincerely about helping people in their community. But I would simply say that we think on this side that there is a better way of addressing the problem of drug use in our communities, wherever those communities might be, in the Seventh District of Georgia or the Third District of Maryland or wherever, than to give people the means to continue to inject mind-altering, dangerous substances into their veins.

I think this is a very appropriate and limited exercise, the will of the people of this country, that at least in our Nation's capital, subject in large part to the jurisdiction as the Nation's capital to the will of the American people through their representatives in the Congress that we tell the people of D.C., ''We do want to help people, but we are not going to do it by furnishing you the means to inject mind-altering substances into your veins.''

I rise in support of this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume. I trust that the gentleman from Georgia (Mr. BARR) is aware that Georgia has a needle exchange program and we do not tell Georgia that they cannot have a needle exchange program, nor do we tell any of the other 113 cities around the country except for the District of Columbia that they cannot have such a needle exchange program.

Mr. Chairman, I yield 1 minute and 40 seconds to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman from Virginia for yielding me this time, and I rise in opposition to the Tiahrt amendment which would prohibit the use of local funds for the City's needle exchange program which prevents new HIV infections in injection drug users and their partners.

I want to point out, also, this amendment had been rejected by the Committee on Appropriations. Trying to micromanage D.C. would be counterproductive for the Congress and it encroaches on the legitimate roles of the City Council and the Control Board. We in Congress have worked hard to give back local control to our communities, and these provisions would run contrary to that objective.

As has been mentioned, the District of Columbia has one of the highest HIV infection rates in the country. Intravenous drug use is the District's second highest mode of transmission and it accounts for over 37 percent of all new AIDS cases. Incidentally, AIDS is the third leading cause of death of all people in the District of Columbia. And for women, where the rate of infection is growing faster than among men, it is the highest mode of transmission.

Scientific evidence supports the fact that needle exchange programs reduce HIV infection and do not contribute to illegal drug use. And since Johns Hopkins from Maryland had been mentioned earlier, I have an article from the newspaper which says:

Maryland's only needle exchange program neither promotes crime nor encourages children to take up drugs as critics fear, two Johns Hopkins researchers said.

The Nation's scientific community is united in ruling that giving clean needles to HIV-infected addicts is good public health policy.

AMA, ABA, the pediatrics, the Mayors, Dr. Koop has been mentioned. Let us let public health experts make those decisions and vote against the amendment.

Mr. TIAHRT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, the opponents of this issue say that everybody is united in the scientific world. That is just absolutely not true. It may be their opinion but it is not fact.

Secondly, have any of my colleagues ever gone on drug ride-alongs? You go through these houses. You would not walk in there with combat boots. There is trash, there are needles all over the

place. In several of these I found mattresses where the prostitutes are asking for sex for drugs, and in one I even found a teddy bear where the prostitute had their child. The child is playing around all of these needles.

The San Diego police then took me into a park and said, ''DUKE, look at all the needles in this park.'' Would you want your child around where they dump these needles? These addicts are not responsible people. They are going to take these extra needles, they are going to put them anywhere they want.

We walked down the street. They are in the gutter. They are in the park. How would you like your child to walk along and stub one of those needles in their boot or in their sandal or in their foot? I think you would panic automatically on these things.

It is not a good thing, needle exchange, and it is actually a negative effect.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume. I would remind my friend from California that there are 19 such needle exchange programs in California, but also, most importantly, this is a needle exchange program. There are no extra needles as the gentleman referred to. You do not get a clean needle unless you give up a dirty needle. That is what this is all about, trying to get rid of these dirty needles.

Mr. Chairman, I yield 1 minute to the gentleman from Baltimore, MD (Mr. CUMMINGS) that has a particularly effective needle exchange program.

Mr. CUMMINGS. Mr. Chairman, I stand in strong opposition to this amendment.

A lot has been said about the Baltimore program, but the fact still remains that the Baltimore program lowers the rate of crime. In those areas where needle exchange takes place, it has lowered the crime rate. Second, it lowers the rate of the spread of AIDS. It has been very, very clear and it has been studied by Johns Hopkins Hospital and University, the number one university and hospital in the country.

Number three, it has reduced the use of drugs. I live in a drug-infested neighborhood. The argument that was just made does not even make sense. The fact is that in the areas where needle exchange takes place, they have discovered that there are less needles on the streets so that people can stub their toes and whatever.

This is a very, very, very bad amendment. We sat here last year and I talked about people dying. The fact is that many have died because we did not do the right thing last year, and now we have an opportunity to save some more lives. This is our opportunity. And so it is.

I beg the House to vote against this Tiahrt amendment.

Mr. TIAHRT. Mr. Chairman, I would remind the Members that nine out of 10 injection drug users in Baltimore are infected with hepatitis C. It is not a successful program.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise in support of the Tiahrt amendment to the D.C. appropriations bill. This amendment will prohibit Federal and District funds from being spent on any program to distribute hypodermic needles for the purpose of illegal drug injection.

When we had this debate several years ago, I did take the time to read the bulk of the studies on this issue. The studies in my opinion in no way make it clear that these programs work. There are studies that show that these programs are actually bad. Each side can pull out the respective studies and quote from their studies to make these kinds of assertions.

The District of Columbia is not some hamlet in Maryland that we are talking about. We are talking about the capital of the United States of America. I consider this town to be as much the possession of every person in the United States as it is the people who live here year round, and I believe it is very, very appropriate for us to set some standards.

This is a good amendment. The needle exchange programs, I believe, encourage the use and they send a very, very bad signal to our youth. There are studies that show obviously it plays a role in the passage of infectious diseases.

I strongly encourage my colleagues on both sides of the aisle to vote in support of the Tiahrt amendment.

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Mr. MORAN of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Baltimore, Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I thank the gentleman for yielding this time to me.

The Johns Hopkins University just concluded a study in which they found that neighborhoods in Baltimore with needle exchange programs had a drop in economically-motivated crimes even though those same categories of crime rose over the same 4-year period. That needle exchange program did not significantly increase the willingness of teens to use drugs and the communities with needle exchange programs did not experience any increase in the number of discarded drug vials and needles found in the streets.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) who is a physician, a family practitioner, throughout her career.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in opposition to the amendment.

I have heard my colleagues on the other side of the aisle say that needle exchange sends a negative message, but needle exchange sends a good message that we will implement and support policies that save lives.

Our colleagues who support that amendment use the statistics and deliberately twist them to support a position that flies in the face of overwhelming scientific evidence and is contrary to public health policy. The needle exchange programs take place in communities where there is high drug use, so of course the statistics show high drug use. But they have been proven over and over again, that drug use is reduced in those communities where needle exchange programs exist.

Yes, I am a physician. I know from experience what HIV can do to end lives that have otherwise gotten back on track and are productive after leaving drugs behind. What we are doing here does not even give people, good people who have had the illness of drug addiction, a chance.

But do not take my word for it. My colleagues have heard of all of the other organizations that support needle exchange, and take what Dr. Koop says, that it can save lives and reduce drug abuse.

This is a terrible amendment. It jeopardizes the District's effort to address what is a serious epidemic here. Let us not write off lives, let us save them.

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

Mr. Chairman, as the Johns Hopkins School of Public Health reported, 9 out of 10 needle-using addicts have a blood-borne virus. They have had a program there for 5 years, and it has been very unsuccessful.

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

Mr. PITTS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kansas (Mr. TIAHRT). If all else fails, look to the evidence in a place where such a policy has already been attempted. Let us look at the Vancouver experiment.

The Vancouver needle exchange program is one of the largest in the world, distributing 2½ million needles in the last year alone. Well, instead of decreasing the rate of HIV and AIDS in Vancouver, the HIV rate among needle exchange participants is even higher than the rate among injecting drug users who do not participate. How can that be called successful? And we want to emulate that here?

The death rate due to illegal drugs in Vancouver has also skyrocketed since the program began, and the highest rates of poverty crime in Vancouver are within two blocks of the needle exchange.

At the very least, the available scientific studies in no way conclude that a program which enables drug users can simultaneously seek to end their destructive habit and help them to stop shooting up. In fact, it looks as though the opposite is true.

In the words of the drug czar, Barry McCaffrey, we owe our children, and that includes the children of D.C., an unambiguous no-use message, end quote. We must offer users a way out,

not another crutch. In our Nation's capital, Washington, D.C., let us not send a mixed message to our Nation's youth for illegal drug use.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, other speakers have indicated that the underlying bill already bars the use of Federal funds for needle exchange programs in the District of Columbia, but the gentleman is not satisfied with that restriction. He wants to prohibit the people of the District from using their own money for this purpose, money obtained through local taxation that is widely supported by citizens of the District, programs that have proven to be effective, according to the National Institutes for Health, the Centers For Disease Control and practically every respected public health agency in America, programs, by the way, that are saving millions of taxpayers' dollars in health care costs.

The overwhelming evidence is that they prevent HIV infection, that they do not encourage or increase drug abuse, that they actually help reduce drug abuse by encouraging injection drug users to enter treatment.

It is bad enough for legislators to overrule local decision makers in matters of this kind, but it is the worst kind of irresponsibility for us to substitute our own uninformed opinions for the sound judgment of the public health community to say in effect we have already made up our minds, do not confuse us with the facts. Let us save some lives and vote no on the amendment.

Mr. Chairman, I rise in opposition to the amendment by the gentleman from Kansas.

The bill before us already bars the use of Federal funds for needle exchange programs in the District of Columbia. But the gentleman is not satisfied with this restriction. He wants to prohibit the people of the District from using their own money for this purpose—money obtained through local taxation for programs that are widely supported by the local citizenry.

This is unfair to DC residents, who find themselves subject to the whims of representatives whom they did not elect.

But it is also a terrible precedent for the country as a whole. Because despite the squeamishness of some Members of Congress at the mere sight of a needle, the truth is that these programs work. They prevent HIV infection. They do not encourage or increase drug abuse. In fact, there is overwhelming evidence that they actually help reduce drug abuse by encouraging injection drug abusers to enter treatment.

As a former prosecutor and a member of the Judiciary Committee, I take very seriously the epidemic of drug addiction in our society. But we cannot make responsible public policy based on fear and ignorance.

It is bad enough for legislators to overrule local decision makers in matters of this kind. But it is the worst kind of irresponsibility for us to substitute our own uninformed opinions for the sound judgment of the public health community. To say, in effect, ''our minds are made up. Don't confuse us with facts.''

I have seen what needle exchange programs have accomplished in Massachusetts, Mr. Chairman, and I know that they have saved lives.

If this amendment becomes law, more people in Washington, DC will become infected with the AIDS virus. More people will die of it. And their blood will be on our hands, Mr. Chairman.

I urge my colleagues to vote ''no'' on the amendment.

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

Mr. Chairman, I would like to remind the gentleman from Massachusetts that there is currently a needle exchange program in the District of Columbia. It is funded by private dollars. Nothing within this amendment stops that.

Mr. Chairman, I yield 2½ minutes to the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations.

Mr. ISTOOK. Mr. Chairman, what are the goals we have? To save lives, to reduce crime, to reduce illegal drug usage which helps to reduce the great amount of crime that is associated with it.

It is a real problem which this bill does great things to correct, and I want to make sure that Members and the public are aware of what this bill does without resorting to needle exchange with public money. And the question has been properly asked, why should we say not only the Federal funds, but local funds also should not be used for needle exchange program if they are taxpayer dollars?

The amendment of the gentleman from Kansas (Mr. TIAHRT) that we are voting on offers the identical language that was approved last year by the House, approved by the Senate, and signed into law by the President. I want to make sure that people know that we already have in this bill a new initiative, a huge assault against illegal drug usage and the problems it causes in the District.

The District funds drug treatment programs right now that are overcrowded because more than anything else there are so many people who are convicted felons convicted of drug offenses that are in these programs that they crowd out the ability of other people to get in.

This bill creates with Federal dollars a $25 million new program of universal drug testing for the 30,000 people in the District of Columbia that are on probation or parole, most of them for things related to drug offenses. Included within that program is some $16 million for drug treatment. That will free up the money that the District is currently spending for drug treatment on those persons so they can expand the drug treatment even further. This is going to be the largest program in the country to combat illegal drug usage. It is being funded with our Federal tax dollars. It is a war on drugs.

We are funding in the bill with Federal taxpayer dollars the most aggressive war on drugs of any community in the country, and we are doing it because this is our Nation's capital. But we do not want a mixed message. Is it too much to ask when we fund a war on drugs that the message is a war on drugs and not peaceful co-existence? I fear the needle exchange program would use public money to undercut and undermine the effort that we have undertaken in this bill to combat illegal drugs.

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

Ms. WOOLSEY. Mr. Chairman, some on the Republican side treat D.C. like their own conservative petri dish, and based on the results, they figure out how to impose their ideological agenda elsewhere. It makes no sense. We know that AIDS spreads through the sharing of needles by injection users. We also know that more than half, up to 75 percent, of all children with AIDS contracted HIV from mothers who are intravenous drug users or the sexual partners of intravenous drug users. Scientific evidence has shown that these programs work. Scientific evidence also makes clear that needle exchange programs do not lead to greater drug use.

In fact, do my colleagues not know that an individual that will sign up for a free, clean needle is taking their first positive step in many, many years, and this is often the beginning for their commitment to a healthier drug-free life?

I suggest, I beg my colleagues, do not vote for this amendment.

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

Had the gentlewoman read the study, she would have found out that they are not effective, that the studies have large gaps. It is not good science, and the reason that babies have AIDS is because their mothers are injecting themselves with illegal drugs.

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

Mr. MORAN of Virginia. Mr. Chairman, I yield 20 seconds to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, the Vancouver study has been often cited here. Let me quote the authors of that study:

> As the authors of the Canadian study, we must point out that these officials have misinterpreted our research. The study in the Lancet, the British medical journal, found that 29 cities worldwide where the program was in place, HIV infection dropped by an average of 5.8 percent a year among drug users. In 51 cities that had no needle exchange plans, drug related infection rose by 5.9 percent a year.

Clearly these efforts can work.

Mr. TIAHRT. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, as my colleagues know, I continue to be amazed. I do not believe there is anybody on that side of the aisle that has

actually read the studies. I have read every study on drug use. I want to give my colleagues some statistics about Vancouver. We do not misinterpret them; we read the conclusions at the end of the studies. I actually have with me the Vancouver study, and I will be happy to quote their summation. But let me list for my colleagues some of the things that have been said about the Vancouver program.

The Vancouver Police Department stated there is a 24-hour drug market now because there is a study at the location of the needle exchange program.

Number two, property crime of all sorts is highest of any other place in Vancouver where the needle exchange program is located.

Number three, the elementary teachers will not let their schoolchildren go outside in this area of Vancouver because there are needles strung out all over. They are fearful that these children will be infected with one of the needles.

Absent any mandate for drug treatment, needle exchange programs will focus on what they can afford and do best, exchange needles. All interviewees associated with Vancouver stated that needle exchange program was not a silver bullet, but in reality that is what we are trying to do.

The fact is there is a 33 percent increase in those using needles in the needle exchange program of Vancouver, increase in HIV infection compared to those drug addicts who are not in a program.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute and 10 seconds to the gentleman from New York (Mr. NADLER).

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

□ 1230

Mr. NADLER. Mr. Chairman, the evidence is clear and convincing. Needle exchange programs save lives.

The government's top scientists, the National Academy of Sciences, the National Commission on AIDS, the National Institutes of Health, and the General Accounting Office have all concluded that needle exchange programs are effective in preventing the spread of AIDS and that they do not encourage drug use.

The numbers are shocking. Every day, 33 people become infected with AIDS, a virus as a result of intravenous drug use. The Surgeon General has stated that 40 percent of all new AIDS infections in the U.S. are either directly or indirectly the result of infection by contaminated needles. For women and children, the figure is 75 percent.

Needle exchange programs are one of the very few programs that have demonstrated that they dramatically reduce the number of new AIDS infections and save lives. To ban Federal funds for these programs in the District of Columbia will bring certain death to thousands.

Finally, Mr. Chairman, we should not prevent the District of Columbia from exercising its judgment in spending its money, not Federal money, to join the other 113 local governments in preventing the spread of AIDS through the use of a needle exchange program.

We do not have an equal interest, all of us, in the affairs of the District with the residents. They live here. We have an interest in a decent Capital. Elementary democracy says they should rule most local affairs. This bill tramples on that elementary democratic principle. Do not vote for this amendment.

Mr. Chairman, I rise today in opposition to the Tiahrt amendment which would prohibit federal funds for needle exchange distribution programs in the District of Columbia.

Mr. Chairman, the amendment we are debating today is a death sentence to many in this country. Mr. Chairman, the evidence is clear and convincing. Needle exchange programs save lives!

The federal government's top scientists, as well as the National Academy of Sciences, the National Commission on AIDS, the National Institutes of Health, and the General Accounting Office, have all concluded that needle exchange programs are effective in preventing the spread of AIDS, and that they do not encourage drug use. And yet, with this evidence in hand—with scientific proof in hand that needle exchange saves lives—some in this Congress would rather let people die and suffer than let science and medicine help those in need.

The numbers are shocking. Every day, 33 people become infected with the AIDS virus as a result of intravenous drug use. This includes not only drug users themselves, but also their partners and their children. The Surgeon General has stated that 40 percent of all new AIDS infections in the U.S. are either directly or indirectly the result of infection by contaminated needles; for women and children, that figure is 75 percent.

There is no gray area here. We know that needle exchange saves lives, and that it does not cause an increase in IV drug use. In fact, studies show that IV drug use actually declines as a result of needle exchange, because needle exchange programs encourage drug users to seek treatment.

If we have the ability and resources to help those who want and need assistance and save them from probable death, then why not help them? To remain indifferent to the lives lost is morally bankrupt. The stakes are far too high to let a few extremists stand in the way of a sensible policy that we know will save many lives.

Mr. Chairman, I do not believe that any member of this House could deny that the AIDS epidemic is a national and international problem that must be meaningfully addressed. Needle exchange programs are one of the very few programs that have demonstrated that they dramatically reduce the number of new AIDS infections and save lives. There is no real controversy surrounding this compelling data—all the experts agree it is a *fact* that needle exchange saves lives. To ban federal funds for these programs in the District of Columbia will bring certain death to thousands.

Mr. Chairman, we do not support the use of intravenous drugs. But we also have to face reality. People do use drugs. If we can reduce the incidence of the use of dirty needles, contaminated with blood borne pathogens, then we can reduce the transmissions of AIDS. Scientific study after study has shown that needle exchange does reduce the number of new AIDS infections. I would like to reiterate that six federally funded reports, conducted independently by the National Commission on AIDS in 1991, the General Accounting Office in 1993, the University of California in 1993, the Centers for Disease Control and Prevention in 1993, and the National Academy of Sciences in 1995 confirm this fact.

And, finally, Mr. Chairman, we should not prevent the District of Columbia from exercising *its* judgment, and spending its money—not Federal money—to join the other 113 local governments in preventing the spread of AIDS through use of a needle exchange program. We do not all have an equal interest in the affairs of the District of Columbia. That statement is the nub of the problem. Washington is our capital. We have an interest in its being a decent capital. But the people who live here have a much greater interest in local affairs than my constituents in N.Y. That's elementary democracy. And they should decide local questions.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, what we are talking about here today is one program in the District of Columbia called Prevention Works. Yesterday, I met with their administrative staff and some of their board members, and today I went out and visited with them as their truck and van was on the streets of the District of Columbia, about 6 minutes' drive from here.

What is the program we are talking about? It is a 1985 truck with unreliable air-conditioning staffed by two remarkable people, Alphonso and Vera, showing tough, but compassionate, care for a group of people that nobody in this place wants anything to do with.

As it turns out, my last hour visit this morning is the only time a Member of Congress has visited this truck and van and seen what they do, and that includes the proponents who are talking so knowledgeably about it today. They do, indeed, count their needles, and one can watch them do it if one would take the time to visit.

Second point. The issue is not what we in our own personal conclusions or personal thinking, what conclusions we reach. The issue is, what standards should this body apply to justify prohibiting elected officials in the District of Columbia from not using their own local funds. That is the issue.

We should vote ''no'' on this amendment and let them decide what is best for their town.

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

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Madison, Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, I rise in strong opposition to this amendment to prohibit the District of Columbia from using any funds, Federal or local, for needle exchange programs.

The positive effects of needle exchange are proven. In communities all across the country, needle exchange programs have been established and are contributing to reductions in HIV transmission among drug users. But as important, these programs are beginning to have another positive impact. They are bringing drug users to treatment for their drug abuse.

In my hometown of Madison, Wisconsin, outreach workers go out into the community and out on to the streets and provide drug users with risk-reduction education and referrals to drug counseling, treatment, and other medical services. For many of these illegal drug users, the needle exchange programs represent an opportunity for an interaction with an outreach worker who is tough, yet who cares. Sometimes, not always, but sometimes, this interaction is all that is needed to bring a desperate person to the point of recognizing that they need help.

The CHAIRMAN. The Chair will advise that the gentleman from Virginia (Mr. MORAN) has 3½ minutes remaining; the gentleman from Kansas (Mr. TIAHRT) has 4 minutes remaining.

The gentleman from Virginia (Mr. MORAN), as a member of the committee, has the right to close.

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TIAHRT. Mr. Chairman, I am also a member of the committee. Would I not have the right to close?

The CHAIRMAN. Both Members being members of the committee, the Member who is in opposition has the right to close, so that would be the gentleman from Virginia (Mr. MORAN).

Mr. TIAHRT. I thank Mr. Chairman.

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

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I want to thank the gentleman from Virginia for yielding me this time.

Washington, D.C. City Council's Consensus Budget, as incorporated in the appropriations budget, is sound. However, it has been incumbered by some very obnoxious amendments. I oppose these amendments to the bill, especially the Tiahrt amendment, which viciously prohibits the District of Columbia from operating a local private needle exchange program.

The residents of Washington, D.C. pay taxes. They have a right to spend the money the way they want to spend their money. We know now that the transmission of HIV from mother to child can be reduced and eliminated. Yes, I said eliminated, as demonstrated by San Francisco's needle exchange program and outreach program to pregnant women. Why would we want to place a death sentence on babies in Washington, D.C. when we know how to ensure their survival? For those who want to see drug addiction reduced, look at the data from needle exchange programs. Such programs lead addicts to the first steps toward recovery.

We are not condoning IV drug use, just the opposite. We are saying that we want babies in Washington, D.C. to be born free of HIV infection, and we want to provide a proven option to eliminate drug addiction.

Vote ''no'' on this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield three-quarters of 1 minute to the gentleman from Brooklyn, New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I do not think we will see a single conservative supporting this amendment. After all, I have not been here very long, but I have figured out what conservatives support. They support local initiatives, church-based initiatives, community-based organizations going out and trying to solve a community's problems and Washington staying out of their way. So there is no way anyone that calls themselves a conservative can possibly support the idea of Congress not only opposing the use of Federal funds, but even local funds, to try to solve a health problem that my colleagues on that side of the aisle have done precious little to solve.

What we are doing here is stepping all over a classic, conservative ideal which has let the District of Columbia manage its affairs the way it sees best.

Mr. MORAN of Virginia. Mr. Chairman, may I inquire as to how much time remains.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has 1¾ minutes remaining.

Mr. MORAN of Virginia. Mr. Chairman, I yield three-quarters of 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, our distinguished ranking member has pointed out the sad tale about the cases of AIDS in Washington, D.C. One-half of all AIDS cases in children are a result of injection drug use by a parent.

Mr. Chairman, I ask my colleagues if they would spend 10 cents to spare the suffering of a child with HIV AIDS.

In San Francisco we have reduced to zero, as the gentlewoman from California (Ms. LEE) mentioned, the transmission rate from mother to child because of the needle exchange program and outreach to pregnant moms. In Baltimore, Dr. Beilenson has told us there are 1,000 people, because of the needle exchange program, who are off drugs now. As far as the hepatitis C argument, it does not apply in this case.

Last year, Dr. Varmus, Dr. Fauci, Dr. Satcher were among the scientists who signed a letter saying we have unanimously agreed that there is conclusive scientific evidence that needle exchange programs reduce transmission.

I urge my colleagues to have the courage to save a child's life. Vote ''no'' on the Tiahrt amendment.

One-half of all AIDS cases in children are the result of injection drug use by a parent.

Would you spend ten cents to spare a child the suffering of AIDS. In San Francisco we have reduced to zero the transmission rate from mother to child because of the needle exchange program and outreach to pregnant moms. That is our experience.

As for the science, last year, leading scientists issued a statement on needle exchange programs. The signers included Dr. Harold Varmus, Nobel Prize winner and director of the National Institutes of Health; Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Disease; and Dr. David Satcher, our Surgeon General.

They wrote:

After reviewing all of the research, we have unanimously agreed that there is conclusive scientific evidence that needle exchange programs, as part of a comprehensive HIV prevention strategy, are an effective public health intervention that reduces the transmission of HIV and does not encourage the use of illegal drugs.

The Tiahrt amendment tramples on the ability of D.C. residents to govern themselves. A vote against this amendment is not a vote for needle exchange.

Have the courage to save a child's life—vote "no" on Tiahrt.

Mr. TIAHRT. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I just want to remind the body that what my amendment does is retain current law. It is law that was supported by the Drug Czar, General Barry McCaffrey; it was passed by this body, the House; it was passed by the Senate; it was signed into law by the President of the United States.

We have heard that we are trying to influence what the taxpayers want here in the District of Columbia. Mr. Chairman, I am a taxpayer in the District of Columbia. All of us here are a taxpayer in the District of Columbia. I care about these people. I care about what is going on.

There is a great deal of desperation for solutions here, and people are reaching far to say these days are successful, but they have not read the studies. It is not a successful program.

The real reason that I am trying to stop this ineffective program, at least from public funds, is because it enables people to carry on a destructive behavior. I have friends who are recovered alcoholics. They said the worst thing that they had during their time of trying to recover was someone to enable them to continue their destructive behavior. That is what we are doing for these people. It is as if we are driving nails in their coffin; we are enabling them.

We are doing a lot to combat illegal drugs in this bill. Mr. Chairman, $25 million is set aside to combat illegal drugs, and yet we are enabling the men and women of this city to take illegal drugs and inject them into their veins. I think it is wrong; I think it is destructive. It does currently go on, it is

privately funded, and I think that this does nothing to stop that. If people want to waste their money on an ineffective program, so be it, just not with public funds.

Mr. Chairman, I yield the remaining time to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Kansas (Mr. TIAHRT) has 2½ minutes remaining.

Mr. COBURN. Mr. Chairman, I want to say first of all that I have admiration for those who support this program, because what they are really saying is that they care about those people who are addicted. However, I also would say, we care too.

The debate divides on how best to solve the problem, and the issue is, are we best solving the problem by reducing risk, or do we best solve the problem by avoiding risk?

I want to give my colleagues a corollary. This year, 13 million Americans are going to get infected with an STD; 45 percent of those will never get rid of that infection. Our message to our children has been, you can practice risky behavior as long as you use safe methods to do it. So our message has been, we are going to reduce the risk. And as our message of risk reduction has come about, we have the largest incidence of sexually transmitted disease of any society, and the largest growth of incurable viral diseases. HIV is nothing compared to what is going to happen in this country in terms of chlamydia, human papilloma virus, and the cancer that is going to be associated with it.

So the debate really decides, how do we care the most? The compassion exhibited by wanting to eliminate the transmission is a wonderful, compelling argument. But it is not enough compassion. We have to have enough compassion to eliminate the problem and not enable people to fail, as we are enabling our children to fail, by our message of safe sex with a condom that does not protect 50 percent of the sexually transmitted disease in this country today.

So the heart is right; the message is wrong. If we really want to help these people, then we will redouble our efforts to drug treatment centers, not enable them to continue to fail.

The final thing is, what happens to somebody when they get hepatitis C in this country? And that is the growing epidemic in this country, not HIV. It is hepatitis C. That person does one of two things: they either die or they get a liver transplant.

So if we want to enable this epidemic to continue to flourish, then we need to give all of the drug addicts in this country needles, because they are sharing the needles anyway, and that is what the studies show. We are not lessening their long-term health consequences; we are, in fact, enabling them to fail and die of diseases.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, it is not just we who are opposed to this amendment who are saying that the needle exchange program does not increase the level of drug addiction, nor increase the amount of AIDS. We are listening to the experts. The American Medical Association says this program is effective. The American Academy of Pediatrics, the American Nurses Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, the National Institutes of Health, the Centers for Disease Control. Every single professional organization tells us this program works.

□ 1245

We do not feel particularly comfortable with this program because we do not want to encourage drug addiction, but when we are dealing with one city that has the worst level of drug addiction and AIDS in the country, they should be able to make their own decision on what works. There are 113 cities that have been able to make that decision, major cities. They are using this program.

All we are saying in this amendment is do not use Federal funds. It passed in a bipartisan vote in the committee. We urge this body to support the Committee on Appropriations. Vote down this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to oppose the amendment offered by Representative TIAHRT that prohibits federal and local funds from being spent on needle exchange programs in the District of Columbia. I object to this intrusion into the funding priorities of the District. I also oppose this amendment because needle exchange has been shown to be an effective method of HIV prevention.

Needle exchange is supported by medical and health related organizations. Last year, the National Institute of Health issued a determination that needle exchange programs reduce HIV transmission and such program do not encourage the use of illegal drugs.

Thus, the health impact of this amendment would be devastating in this city. As with most major U.S. cities, D.C. faces an AIDS epidemic that must be fought on all levels. D.C. has the highest rate of new HIV infections in the country. AIDS is the third largest cause of death in this city. We must not handicap this city's ability to stem the tide of AIDS transmission.

I also believe that the residents of this city deserve to use the mechanism of democracy and its elected officials should be able to make decisions that benefit the citizens. The local government in D.C. has chosen to use its own funds to address this need.

Congress has no business in the local affairs of the District government. D.C. has chosen to implement this program to prevent the spread of AIDS. This nationally recognized program has been successful in bringing addicts into treatment. D.C. is the only jurisdiction that has a federal bar on the use of local funds.

The District of Columbia no longer receives the federal payment, thus all of these funds are from local taxpayers. I oppose this intrusion into local affairs and I believe that this amendment will severely hurt the residents of D.C. I urge my colleagues to oppose this amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise today in strong opposition to the Tiahrt amendment to H.R. 2587. As a Member of this House representing a region of the country with an astronomically high rate of HIV transmission and AIDS, I cannot support this bill. I cannot support legislation that not only prohibits the use of federal funds, but also prohibits the use of local or other funds. What are we saying to the citizens of the District of Columbia when their elected representative does not support this bill?

HIV and AIDS continues to plague this Nation. Yes, we have seen some much-needed improvements in the extension of lives through better treatment and we have seen the number of deaths resulting from AIDS fall for the first time. But we have not and will not see the rate of HIV transmission fall if we continue to let politics rule the legislative process.

The needle exchange programs that have been implemented in inner-cities throughout the country are playing a crucial role in reducing HIV transmission, assisting HIV positive drug users in obtaining necessary medical care and drug treatment, and providing essential information and AIDS. This is critical for the hundreds of thousands of adults who do not know that their partners are using drugs, and for the innocent children who are born with this fatal disease.

Public health officials do not support this amendment and I encourage my colleagues to join me in voting against this amendment, which is full of politics and void of reason.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Kansas (Mr. TIAHRT).

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

Mr. MORAN of Virginia. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 260, further proceedings on the amendment offered by the gentleman from Kansas (Mr. TIAHRT) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. NORTON:

Page 54, strike lines 19 through 25 (and redesignate the succeeding provisions accordingly).

Ms. NORTON. Mr. Chairman, first I want to thank the gentlewoman from Michigan (Ms. KILPATRICK), the cosponsor of this amendment, for offering it in the Committee on Appropriations.

This amendment simply strikes gratuitous and now moot language carried over from last year in the bill that forbids the District to use its own funds

on a lawsuit testing whether American citizens who live in the District are entitled to voting rights in the Congress.

Members are looking at the only Member of this body who represents taxpaying American citizens who are denied full representation in the Congress. The language in this bill adds to the basic denial of D.C. voting rights, the denial of the right to seek redress in the courts.

Does this Congress really want to pile on the sensitive issue of full democratic representation by seeking to keep the District from testing that denial in court? This provision in the bill is unworthy of this House, unless we want to cross over and join the authoritarian regimes of the world.

In the darkest days of southern segregation, no State sought to legislate black people out of court suits. That is exactly what this amendment does to D.C. residents, however. It is a self-serving attempt to maintain the status quo denial of rights, even if it means standing to bar the courthouse door.

It should be enough to defeat this amendment that the denial of court redress is patently unAmerican. It is also futile and moot. The lawsuit for D.C. voting rights recently argued before a three-judge panel in the District court is being carried pro bono by a major law firm.

The District's involvement always was minimal. The city's Corporation Counsel participated in the oral argument with permission of the court to participate pro bono. The corporation counsel has resigned. His only involvement now would be as a private citizen with no D.C. funds.

Please do not allow history to add to the litany of denials of democracy for the people of the District. Wherever they may stand on their constitutional jurisdiction over the District, this is a different case. Members surely do not want to be counted against peaceable redress of constitutional rights through the courts. No Federal funds are involved. Even District expenditures are not now being used to support this suit.

Please remove these proceedings once and for all from our appropriation bill.

Ms. KILPATRICK. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, I want to support and am proud to be a cosponsor of this amendment that we offered in the Committee on Appropriations.

I agree with the delegate, the gentlewoman from Washington, D.C. (Ms. NORTON) that it is unconstitutional, it is unfair, and it is undemocratic. This entire D.C. appropriations bill is $463 million. The D.C. residents in 1996 sent over $4 billion to this Federal government. In 1997 the same, over $4 billion to this Federal government. The bill today is only $463 million.

Members have heard debate over the last hour on the needle exchange program. We are not going to get into that, but the citizens do have a right, as every citizen of the country has, to spend its local money on those things that they deem necessary for their people.

This amendment that the gentlewoman from the District of Columbia (Ms. NORTON) and I were offering would say that the residents of the District of Columbia can spend their local dollars to go to court to challenge the notion that they cannot vote in this Congress, that they do not have a voting representative in this Congress.

The District of Columbia has more population than three of America's States. All of those States have representatives in this Congress who vote. They all have two Senators in the U.S. Senate who vote. Why, then, do we deprive over 500,000 people who have chosen Washington, D.C. as their place of residence the right to have a vote in this Congress, the right to have two Senators, as all other States have, and the right to use their own local money for those programs that they deem necessary?

The Congressional Research Service goes just a little bit further. They say that the District of Columbia, which is denied the right to vote, should have a representative in Congress. District residents carry some of the same burdens of citizenship that all American citizens pay and do. They pay taxes, they serve in our wars, they die in our wars.

Still, this Congress will not allow them to use their own local funds to challenge in court, and I might add, as the delegate has mentioned, on a pro bono basis, as some have already said, yes, we support D.C., we want to go to court to fight for the right to vote. Why, then, does this Congress not allow the D.C. residents, with the backing of its mayor and its council and its delegate, permission to use their local funds that they also pay, in addition to their Federal funds, allow them the right to go to court and use those funds to defend their right for a vote in this Congress, for a vote on those referenda that they deem necessary?

Mr. Chairman, this is not right, it is not fair and it is not Democratic. As was mentioned earlier, over 500,000 people call D.C. their home. They pay Federal taxes, over $4 billion to this Federal Government. The bill before us is $463 million. Additionally, they pay local taxes.

What we are saying in our amendment, allow D.C. to use their local money to go to court should they want to, to defend their right to vote. This is a glorious country, the best country in the world. The citizens of D.C., American citizens, over 500,000 of them, deserve the right to use their local funds as they see fit.

Mr. Chairman, I urge Members to adopt this amendment.

Mr. ISTOOK. Mr. Chairman, I rise in opposition to this amendment. I very much appreciate the arguments that we have heard from the gentlewomen regarding their support of this particular amendment.

I feel obligated to point out that what they seek to strike from the bill is language that last year was approved by the House of Representatives, approved by the U.S. Senate, and signed into law by the President of the United States. Specifically, it is language that says that public funds shall not be expended for an initiative or a civil lawsuit to promote a vote in Congress for the District of Columbia.

I well understand the desire of the proponents of this amendment and many other people to have that vote in the Congress, and I am sure that they understand also the special status which the Constitution of the United States gave to the District.

The question is not whether they have the right to pursue their lawsuit. It is being pursued. It is being pursued without taxpayers' money being used to sue the Federal Government over this issue. They wish to be able to do so. They have already filed the action. They have pointed out before that legal representation was provided pro bono, which is to say, as a public service, and without charge, to finance their side of this legal action.

It is not necessary to expend public money either to go back and pay people for work already done as a gift for free, nor is it necessary to expend the public money to enable people to have their day in court. They have their day in court. They are suing the Federal Government, challenging the Constitution of the United States. They have their right to do so. The issue here is whether taxpayers' money should be used to finance the suit.

If Members believe taxpayers' money should be used to finance the suit, then of course they should vote for the amendment that the gentlewoman from the District of Columbia has offered. If Members do not believe taxpayers' money should be used to finance the suit, Members should vote against the amendment, which is a vote in favor of the same position that this Congress passed and the President signed into law last year.

We had a vote in committee. The amendment was defeated in committee. We had a vote in the House of Representatives last year, and this same motion was defeated last year on a rollcall vote of 243 to 181.

It is not a new issue. We have not injected it as a new issue in the bill this year. This is a continuation of the restriction on public money to finance such a lawsuit or an initiative petition.

There is no need to spend taxpayers' money for people to have their day in court. They have their day in court and they are entitled to it.

Mr. FARR of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today as a former local elected official in support of this amendment. I hope at this moment that every mayor and every council person in the United States is watching what is happening on the floor of the U.S. House of Representatives, because they are seeing a debate

about the future of America, of where the attitude is in Congress of how we are going to control Federal funds.

The only Federal funds that we can specifically control are those Federal funds that go to support the city of the District of Columbia, a city that has an elected mayor and an elected city council; a city that, like every other city in the United States, sits down in open, public discussion and debates how they can be a better city.

If Members are watching the actions on the floor today, they will see that even though they have gone through that process at the local level, the heavy-handed Congress here on the floor of the House of Representatives is adopting amendments which are mean, which take away the city's ability to provide safety measures for their inhabitants with needle exchanges, to take away adoptions, to take away legal medical marijuana, even though the States that many Members represent have already passed such measures at the State level and local level.

They are taking away the ability of a city to file a lawsuit. These are amendments that are not American amendments, these are amendments that are trying to be heavyhanded. They are not about giving local control, which everybody up here talks about, to get the Federal Government off peoples' backs, allow cities to be what they can be.

These amendments ought to be defeated. This amendment ought to be adopted because it deletes one of those mean provisions. I ask my colleagues to vote against all of the amendments except for those of the gentlewoman by the District of Columbia (Ms. NORTON) who was elected by the citizens of Washington, D.C. to be here on the floor of the House of Representatives.

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

Mr. Chairman, I rise in support of this particular amendment. Let me just tell my colleagues why. We have been piling on the city with some very difficult issues that I feel deeply about; as well, needle exchange programs, which I oppose. I do not believe that we ought to be giving free needles to people who are committing illegal acts.

The couples' adoptions, the limitation on the medicinal use of marijuana, this is something that in other jurisdictions, in Arizona and in Colorado and other States that have had referenda, the citizens have decided they want to do that. In the District of Columbia we did not even let them count the votes.

However people feel about those issues, and I am conflicted on these, along with a lot of my other colleagues, what we are talking about here is the right of the citizens of the District of Columbia to have a vote on the House floor and to pursue a final judicial decree that will set their rights at this point, which have been questioned in the courts.

We ask ourselves, if we cannot use city money, who is going to do this? This is city money, it is not Federal dollars. If this were a prohibition on Federal dollars going to the city, I can understand Congress might have a reason that they would want to support this, but these are city dollars. If Members do not like this, they could run for the City Council in the District and probably take a different point view, but I doubt they would be elected successfully.

What we have to remember is that the relationship between the city of Washington, D.C. and the Federal Government is unique. It is described in the Constitution. It goes back to the late 1700s, when we wanted to have a Federal enclave that would not be at the mercy of any State government. It happened when some militia who had been unpaid from the Revolutionary War fell upon the Pennsylvania militia, who were in sympathy with them, and let them chase the Continental Congress across the river from Philadelphia into New Jersey.

□ 1300

At that point, the continental Congress went ahead and said we have to have our own Federal enclave. We cannot trust any State to look after the Federal side of things and not take sides and disputes between States. As a result of this, the District of Columbia was born.

Now, a lot has changed in 200 years. The city still does not have a vote on this floor, although their residents pay taxes. They can be drafted. They have served in the military. They do the things everybody in all of our States do.

It has been likened that the District of Columbia is like a city, and we are the State. But my colleagues have to remember cities across this country have representatives in State legislatures in the State Capitols and have a vote. The District of Columbia does not.

All this amendment does is it says, because there have been some questions raised about the constitutionality of whether the city should have a vote on the floor, that they could pursue that judicial remedy in the court system with their own money collected by their own citizens through their duly-elected leaders.

With all of the other things piled on, I think the least we can do since we do not give the city a vote on the floor is to allow them to use their own money and pursue their judicial remedies the way any jurisdiction in the country can do.

For heaven's sakes, if we want democracy to work in the District of Columbia, we have to nurture it, we have to allow some decisions made to be final. We have to allow the city to make its own decisions and not have every decision they make be questioned by Congress. When we do that, they are not going to make the tough decisions because they know they are going to get overriden here, and democracy will fail.

For almost 100 years, the city had no elections, and we had, over the last few years, actually some problems, and we set up a control board over that. But now we have a new mayor, a new council. They are working forward. Let us let them make their own decisions. Let us not second them on everything they do.

So I support the amendment of the gentlewoman from the District of Columbia, and I hope my colleagues will join me.

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

Mr. Chairman, this is unlike any of the other amendments that are pending. This amendment deals with the most fundamental right of every American, each and every American, whether they live in the District of Columbia, Maryland, the State of Georgia. Wherever they may live, this deals with the fundamentals of our democracy.

I see the gentleman from Georgia (Mr. BARR) on the floor who argued passionately to uphold the principles of the Constitution of the United States to the President of the United States. Conservatives correctly focus on the rights of minorities against what could be an oppressive government and rule by majority. Liberals correctly focus on the rights of individuals as they may be adversely affected by an oppressive majority.

Mr. Chairman, our Founding Fathers anticipated that problem because they dealt with an oppressive king against whose judgment there was no appeal. So in that most basic document of, really, world government, the Constitution of the United States, I say world government to the extent that all the world looks at it as a model, we guarantee to citizens the right to redress of their grievances through the courts of this land, not because we agree with what they seek, but because we believe it is fundamental to prevent governmental abuse and the denigration of the rights of each and every American. This deals with our most fundamental rights.

Let me say, the chairman says that this was considered last year, was included in the bill. He said that Tuesday night on the floor. But the gentleman from Oklahoma (Mr. ISTOOK) knows full well that this was in a bill of about $400 billion in appropriation, eight appropriation bills.

The President opposed this provision, but clearly could not veto that bill in the last days of our session, as we were about to leave town in October before the election. So he signed, yes, the bill, but not because he agreed with this provision. Very frankly, no Member has debated this provision.

Secondly, he says there was a vote in committee. I was shocked, saddened, chagrined to find every conservative voting with a provision that says to citizens of America, you cannot go to court and use your corporate funds to do so.

I tell my colleagues, Oklahoma City goes to court using taxpayers' funds to redress grievances against the Federal Government. I tell my colleagues that happens in Tulsa as well. It happens in Baltimore. It happens in San Francisco and L.A. and Chicago. Large and small cities, counties, and States bring suits against the Federal Government for the redress of grievances.

Is that not a fundamental American right? How can we say in this bill, corporately, the District of Columbia, through its government, not with our funds, not with Federal dollars, with their own funds, cannot redress the grievance and say our representative on the floor of the House of Representatives ought to have a vote. That is our constitutional right.

Is it our position that we will say, no, we disagree with that objective; and, therefore, they cannot go to court?

The gentleman from Oklahoma (Mr. ISTOOK) says, oh, well, we are not doing that. Shoot, they can get pro bono expenses. They can get people to donate it, or they can get private donations. They can. The gentleman is correct. So can every other State, county, and municipality in America.

Would any of my colleagues support legislation which says that Tulsa or Oklahoma City or Baltimore or Upper Marlboro could not bring suit for the redress of grievances and saying that something is either against the Constitution or against the Federal statute or against the regulation? I cannot believe my colleagues would do that. This is so fundamental to what we believe about our country.

I want to tell my colleagues, I was chairman of the Helsinki Commission until 1995, and I traveled to Sophia in Bulgaria. Bulgaria would not tell Sophia, the capital of Bulgaria, they cannot bring suit. They would under the Communist government, because one could not bring suit at all. That made us really different.

Bucharest in Romania the same thing, Warsaw in Poland, Prague in Czechoslovakia.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 2 additional minutes.)

Mr. HOYER. Mr. Chairman, this ought not to be a partisan issue. This is an issue we fought a Cold War over. We did not fight it, luckily, for the most part, with bullets. We fought it with a commitment to our ideals of freedom and individual liberty. Not collective liberty, individual. No citizen, no matter how wrong they might be, is precluded from coming to the courts and saying, everybody may disagree with me, but I think I am right.

Mr. Chairman, I hope that, on this issue, my colleagues summon up the wisdom and the courage to say we ought not to do this because it is inconsistent with what we believe about our country, what has made our country different.

Do not tell the residents of the District of Columbia that they have a grievance, but only if they get the largess of some private donor will they be able to seek constitutional relief. Do not do that to them, not because they are the District of Columbia under the Constitution as a State or a District that we have authority over, but because there are 500,000 Americans, just as I am an American, just as my colleagues are Americans, 260 million of us, not D.C. Americans, Maryland Americans, Oklahoma Americans, but Americans, protected by the best document man ever forged, the Constitution of the United States, that holds these truths to be self-evident, that all men and women are created equal, each one of us, endowed, not by the D.C. subcommittee, not by the House of Representatives, endowed by God with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness. That is what they seek. Do not preclude it.

Admit mistake in this area. Support this amendment.

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

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, it is a very hurtful experience each year when the D.C. bill comes to the floor and there is something in the bill that, in my opinion, in some way wants to turn back the hands of time and to turn back justice and fairness to the people of this District.

The language in H.R. 2857 should be amended by the courageous gentlewoman from the District of Columbia (Ms. NORTON). She has fought a very hard fight. Each of us should understand this fight, because we seek justice and we seek freedom. It should be amended.

The language in the bill is targeted, and I say targeted because it has some very dangerous inferences. It is gloomy. It is dark. To me, it appears to point at one group of people, and that group of people live in the District of Columbia.

Who are those people? Most of the people in the District of Columbia are black like me. Most of them in there are people who have, for years, their rights have been taken away. I have sat here for 8 years and heard constantly, constantly that we beat away to try to take away their rights.

Now, whose fault is it? It is Congress' fault if we allow any diminution of the rights of the people who live in Washington, D.C. If they lived in Podunk, Idaho, I would be here saying the same thing. Regardless of their color or their creed, I would be here. But I am here to say that this particular bill has dangerous inferences. We do not want that.

First of all, the language in the bill is not only undemocratic, but it is moot, because what the language assumes did not happen. The language says, none of the funds may be used by the D.C. Corporate Counsel, and it goes on and on, to provide for civic action which seeks to require Congress to provide for voting representation in Congress for D.C.

Their amendment repeals language in the bill. The Norton amendment repeals that language, and it should be. Because it will forbid the District from using its own funds.

Mr. Chairman, D.C. did not hire anyone that was not eligible to use this. It was done on a pro bono basis by a downtown law firm. So I think my colleagues are saying that the city's corporate counsel, which was a chief lawyer, did carry some of the argument before the three-judge panel. That may be true. But his involvement in the case was pro bono, no D.C. funding at all. He received permission from the courts to participate in this manner. Even though the language we seek to repeal in the bill this year was also included in the bill last year, I repeat, no city dollars were spent.

The man who argued the case as corporate counsel, Judge John Farren, has gone back to being a judge and would most likely handle the portion of the appeal to the Supreme Court along with the pro bono downtown law firm.

The language in the bill is, therefore, undemocratic. It is moot. It takes away representation. My colleagues would not want it to happen to them. I appeal to my colleageus, think of the facts. The residents of the District of Columbia are living, breathing people who have the same kind of finesse that my colleagues have.

They do not sit here in this Congress. They are not even represented. They do not even have a vote. But they have a very strong Representative who is here to say to us this is wrong. D.C. residents pay taxes just like my colleagues and I do. They are the only American citizens who are denied full representation in Congress. We do not want this.

This Congress has been democratic in its viewpoints on both sides of the ledger, on both sides. I appeal to the Republicans to kill this part of the bill. I appeal to my colleagues to vote for the Norton amendment, because it keeps and gives representation for people who live in the District of Columbia.

Let us not cast a shadow on the democracy which we fought so hard to maintain. Do not let this little paragraph in the bill keep us from being the upright democracy in fighting for justice as we could.

□ 1315

Also, let us allow D.C. a chance to seek redress in the courts, just as our American system indicates.

Mr. Chairman, I want to thank the members of the committee and say to them to please support the Norton amendment.

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

Mr. Chairman, this is an anti-obscenity amendment. What this bill says is

that the District of Columbia cannot use its own funds to sue in the courts of this land for the right to be represented. That is what this bill says, as it presently stands. That provision is an obscenity in a democracy, and any Member of this House who votes to sustain it ought to hang their head in shame.

We all represent at least half a million Americans, and for any Member of this place to have the unmitigated gall to come in here and say that the Americans, the Americans who live in the District of Columbia cannot use their own dollars to pursue the ability to be represented is an outrage.

This amendment should not have a single opponent in this House. This House does not stand for public representation, it does not stand for democracy, it stands for taxation without representation, which we fought a revolution to overturn, if it does not support this amendment. That is all we need to know about it, that is all I need to say about it. Shame on anyone who votes against it.

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

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

Mr. ISTOOK. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 260, further proceedings on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 2 OFFERED BY MR. LARGENT

Mr. LARGENT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 106–263 offered by Mr. LARGENT:

Page 65, insert after line 24 the following:

SEC. 167. None of the funds contained in this Act may be used to carry out any joint adoption of a child between individuals who are not related by blood or marriage.

The CHAIRMAN. Pursuant to House Resolution 260, the gentleman from Oklahoma (Mr. LARGENT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. LARGENT).

Mr. LARGENT. Mr. Chairman, I yield myself such time as I may consume, and I wish to begin the debate by reading the actual amendment. It is a short amendment and it is very explicit. It says, ''None of the funds contained in this Act may used to carry out any joint adoption of a child between individuals who are not related by blood or marriage.'' That, Mr. Chairman, very simply, is the amendment.

This amendment is going to create a lot of controversy. I know that. We have been down this road before. We have debated this amendment before, and the House approved this amendment last year. We will have some of the same controversy and some of the misrepresentations of what this amendment actually does, and I would like to address some of these things in my opening statement, Mr. Chairman.

What does it do, exactly? It prevents the District of Columbia from granting joint adoption to individuals that are not related by blood or marriage. Very simply, adoptions should be about the best interest of the child. Adoptions should not be about awarding children in some sort of culture war.

Why are we here? Because a District of Columbia appeals court made a ruling that granted adoption to two men that were unrelated by blood or marriage, the adoption of a young girl. In that decision the judge said, ''It is unclear to the court what Congress' intent is regarding joint adoptions to unrelated people.'' Thus, we are here today, Mr. Chairman, to give the courts our clear intent.

Here is the issue: What is in the best interest of the child? To throw them into an ambiguous, confused amorphous legal situation that does not establish clear lines of authority or responsibility, in my opinion, is not in the best interest of a child, and that is why we are debating this amendment today.

Mr. Chairman, we have kids who have had a rough start at the beginning of their life already. How can it be in their best interest to place them in a confused legal setting, one in which the only legal affiliation between these individuals is the address that they possibly share? For instance, Mr. Jones and Ms. Smith adopt together and are given joint custody. Well, is the child a Smith or is the child a Jones or both? What reason does the child have to feel secure about their future when the couples who adopt them have not even expressed a commitment to one another by having any sort of legally recognized relationship?

What happens if Mr. Jones or Ms. Smith part? How do the courts determine custody in such a case? Nobody knows. There is no legal precedent. What happens if more than two people unrelated seek joint custody? Why not three or four people unrelated by blood or marriage seeking joint custody of a kid? Nobody knows what happens if we go down this road. Is this really in the best interest of the child? Absolutely not.

Finally, and most importantly, Mr. Chairman, I want to say that many will distort this amendment as gay bashing, or others will say this is going to limit the ability of adoptions to go forward. Nothing could be further from the truth. Nothing in this amendment precludes any, any, individual or family related by blood or marriage from seeking adoption. Any individual, regardless of their sexual preference, can still seek legal adoption and then be related through that adoption with the child.

What this amendment will do, Mr. Chairman, is assure that these kids, who desperately need love and, most importantly, security, that they will get it by ensuring that they are placed in legally recognized families.

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

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the amendment, and to claim the time in opposition.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) is recognized for 15 minutes.

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

Mr. Chairman, the gentleman from Oklahoma (Mr. LARGENT) is quite right that an appeals court decided that two men could adopt a child in the District of Columbia, a little baby girl. I suspect that one of the reasons was that there are over 3,000 foster care children awaiting adoption, more than 3,000, in the District of Columbia. They do not have loving parents.

Another reason why the court saw fit to allow this is that they had ruled on the parenting ability of these two people. And, in fact, every day domestic law judges, with the advice of social workers and other professionals, make determinations on the parental suitability of people wishing to adopt children who have no parents. That is the way it is throughout the country.

This amendment is not law today, but if the gentleman from Oklahoma (Mr. LARGENT) prevails, the District of Columbia will stand alone in not allowing the court system, with the advice of professionals, to make that determination. The District of Columbia will stand alone in having that determination made by politicians in this body who have no knowledge of the suitability of those parents and no direct knowledge of the neediness of those children.

If we adopt this amendment, we are saying we would rather these children be left as orphans, without parents, than allow two people, who the court decides are suitable parents, to adopt those children. That is what this amendment is all about. We are saying we do not want to make that determination, we want professionals to make that determination. We want the domestic law judges, who are today making that determination, to be able to continue to and not be precluded by this Congress.

Mr. Chairman, in surveys that have been conducted, American citizens, by a 4-to-1 margin, say that they would prefer the court system to conduct its business without political interference. So we are not carrying out the public interest, we are not carrying out the interest of our own constituents, we are not even doing what they do in our

own jurisdictions today if we pass this amendment.

Mr. Chairman, there are going to be any number of very substantive arguments raised against this amendment. I want to enable my colleagues to make those arguments, but I would very strongly urge defeat of this amendment in deference to the professionals in the court system who are able to make these decisions in every other part of the country.

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

Mr. LARGENT. Mr. Chairman, I yield myself 15 seconds to remind the body that there has never, in the history of this country, been a legislative body at any level that has approved joint adoption to people that are unrelated by blood or marriage.

Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Chairman, I rise in support of the Largent amendment.

Adoption is the utmost expression of family values, for it allows people the opportunity to extend their homes and their hearts to people in need. But adoption should not be a selfish act. Adoption is for the child's benefit. And if we are to make adoption a meaningful life opportunity for children, they must be given the stability any child needs to grow and thrive.

People who are not married but sharing a house always remain as free to adopt as ever. But the legal relationship created by the adoption should be one between the child and the single adoptive parent, rather than between a child and multiple parents who have no legal relationships amongst each other.

If we really love our children, let us be fair to them. Let them grow up in a stable environment. The Largent amendment is about taking family relationships and raising children seriously. It is fair and reasonable.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT), a member of the Committee on the Judiciary.

Mr. DELAHUNT. Mr. Chairman, it is a sad fact that not all parents are fit parents, and I know firsthand that child abuse and neglect occurs in all kinds of families. But let us be clear: usually it is among the so-called traditional two-parent families rather than families of less conventional description. As a district attorney, my office prosecuted these parents and put some of them in jail.

I also know firsthand, as a trustee of an adoption resource center, that difficult-to-adopt children are placed in adoptive homes with good parents and families that come in all shapes and sizes. Some of the most loving, responsible, and nurturing families I know would fail the litmus test of the gentleman from Oklahoma (Mr. LARGENT). And that would truly be a tragedy for the 3,300 children now languishing in the District's foster care system.

Most of these children in need of adoption are neglected or abused by their biological parents. Many of them are children with special needs, children whose chances of adoption and a chance at life are doubtful even without the restriction that the Largent amendment would impose.

So with so many kids out there who need decent homes, this is not the time for Congress to start setting criteria for those who would be permitted to adopt.

□ 1330

The only test we should apply is the one the law already uses to determine whether a child belongs in a particular family and that is in the best interest of the child; and that should be left to the courts and the professionals, as the ranking Member indicated.

This amendment will produce cruel consequences, unintended I am sure, but cruel nonetheless, cruel because it will deny some child a family and opportunities that most of us in this body were fortunate to have and, because by the luck of the draw, we were born to parents who nurtured and loved us.

Defeat this amendment and give some kid a family.

Mr. Chairman, I rise in opposition to the amendment by the gentleman from Oklahoma.

Some who oppose this amendment will emphasize its unwarranted intrusion into family matters best left to the people of the District of the Columbia.

I share that concern, Mr. Chairman. But today I wish to speak as an adoptive parent, who is concerned first and foremost with the well-being of abandoned and neglected children.

Mr. Chairman, it is a sad fact that not all parents are fit parents. Child abuse and neglect occurs in all kinds of families. Among the ''birth families'' no less than adoptive families. Among so-called ''traditional two-parent families'' no less than families of less conventional description.

But good parents and families come in all shapes and sizes, too. Some of the most loving, nurturing and supportive families I know would fail Mr. LARGENT's litmus test.

And that would be a tremendous loss for the 3,300 children languishing in the D.C. foster-care system—many of them neglected or abused by their biological parents, many of them children with special needs.

With so many kids out there who need decent homes, this is not the time for Congress to start setting criteria for who will be permitted to adopt. The only test we should apply is the one the law already uses to determine whether a child belongs in a particular family situation or not. That test is whether the placement is in the ''best interests'' of the child.

That evaluation requires the careful weighing of a multitude of factors by those with the requisite expertise. We should ask whether the parents have the means to feed and clothe the child and see to its education. We should ask whether they maintain a home that will offer the child a harmonious, stable and nurturing environment. We should ask whether they have the skills and the commitment it takes to be a good parent.

When we find a family that offers all this to a child in need, what kind of society would reject that family because the parents are ''not related by blood or marriage?'' What kind of society would say it is better for the child to be in an institution or on the street?

I believe we should embrace that family, Mr. Chairman, and be thankful that a lost child has been given a second chance in life.

I ask my colleagues to defeat the amendment.

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

Mr. Chairman, I would just remind the body once again that there is nothing in this amendment that precludes any legally recognized family from adopting.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, I rise in support of the amendment offered by my colleague from Oklahoma (Mr. Largent).

I feel pretty strong about this. I think Members on both sides of the aisle should realize that in my home State of Florida there is a case pending challenging the State of Florida because it has a similar ban as the gentleman from Oklahoma (Mr. LARGENT) has in this amendment on such adoptions.

So in my State it is the law. The Largent amendment is trying to make it a part of the D.C. appropriations.

This particular lawsuit was developed in a full-fledged war over cultural values. And that is what we are talking about, make no mistake about it. On one side, we have the ACLU that has filed a class-action suit last month challenging the State's ban on such adoptions.

Two years ago, a lawsuit by them similar in nature was filed in which the couple won. However, our State's Supreme Court overruled it. So now the ACLU is filing again.

I would like to read from the article in the newspaper about the justification for the Supreme Court when they actually decided to rule in favor of the existing law in the State of Florida and which supports the Largent amendment.

The analysis was done by psychologist Paul Cameron. This is what he said, among other points. He said, ''The children raised in homosexual households experience more emotional problems, suffer more from unstable home lives, and struggle more with their own sexual identities later in life.''

He goes on to say, ''Children need and deserve the best environment possible in which to learn and grow. The traditional mom-and-dad family provides this, while homosexual relationships do not.''

Now, this is a clinical psychologist who has said this. And he said that this supports the Supreme Court's decision.

So I think it is clear to my colleagues that what we are talking about, the real question, is, do we want

to have this appropriations allow a back-door approach to push for the legalization of same-sex marriages by allowing them to adopt children?

So I support my colleague from Oklahoma in what he is trying to do. It simply prohibits funds from being used to allow joint adoption by persons who are unrelated by either blood or marriage. That is pretty simple. I do not think there is anything in the motion to object to.

To my way of thinking, a family is not made up of unrelated individuals that just happen to be in the household who happen to be living together and then suddenly want to adopt a child. Neither Congress nor the legislature of any of the States have authorized joint adoption by unrelated individuals.

So I think his amendment is very simple. I think it should be supported by my colleagues. I hope it will pass.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON) who is probably the only genuine expert we have on this issue. She was the State Secretary of Child Welfare for the State of New Mexico and knows this issue in her mind and in her heart.

Mrs. WILSON. Mr. Chairman, 99 times out of 100 my colleague from Oklahoma is right. The best thing for a child is to be in a family where the mother and the father are married to each other.

The kids that I worry about, though, are not the healthy infants. They are the foster kids that nobody else wants. They are mentally ill. They are emotionally disturbed. They are physically disabled. They are medically fragile. They are terminally ill. It is those kids who have very few options.

We have a chronic shortage of foster parents in this country and in this city. It should not be a surprise that kids are often placed in less than ''Leave it to Beaver'' families. Sometimes they are single. Sometimes they are stable, cohabiting parents. But once done, over time relationships form. And sometimes those kids want desperately to be adopted by the people whom they have come to call mom and dad.

It is irrational. It does not fit all circumstances. The gentleman from Oklahoma is right. It may be irrational. Because it is about love. It is not about law.

This should not be done by prohibiting the expenditure of funds in the District of Columbia budget. If we want to give guidelines to judges, let us do it the right way, in substantive law, and allow for these cases where a child desperately wants to be adopted by the people who he has come to identify as his parents.

At different times in our lives, Mr. Chairman, we see different things in different stories. All of us remember Peter Pan, remember the lost boys who never found their parents.

Mr. LARGENT. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN. The gentleman from Oklahoma (Mr. LARGENT) has 7 minutes remaining. The gentleman from Virginia (Mr. MORAN) has 7½ minutes remaining.

Mr. LARGENT. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, I would like to recognize that was a very moving statement. Had it been based on the facts that these kids could not be adopted, it would be relevant.

But the fact is that this amendment would not prohibit one of the children that was just described by the gentlewoman from New Mexico (Mrs. WILSON) from being adopted. And to say that is being less than straightforward.

This amendment says that even though two people might be living together who are unmarried, one of them can adopt. So it does not preclude the adoption of any group in any way from anytime adopting. It is just saying, if they are not married under the legal definition of ''marriage,'' only one of them can have that child as their child.

So one of the things we do real often is confuse the issue. What does this amendment really say? It does not say that a gay person cannot adopt a child. It does not say that anybody cannot adopt a child. What it says is, if a child is adopted in a relationship that is not recognized by law, that it can be only adopted by one of those members, not both, so that the child is not confused, so that the courts are not confused about what the legal representation of that adoption is.

So let us be sure we are straight about what this amendment does. It is a great emotional word picture to think that a child who is dying or a child that is disabled cannot be adopted. But, in fact, it is not true under this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1¼ minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I listened with great interest to the statement of the sponsor of the amendment; and there was great deal of emphasis on how, in the sponsor's opinion, this family structure with two unaffiliated folks would not be in the best interest of the child.

Well, with all due deference, why should we care what we here think is in the best interest of the child? I mean, there are court proceedings that are going to have the opportunity to discern that. There are authorities in all the 50 States, including the District of Columbia, to make that determination. Why is our judgment sitting here so very important?

The notion that somehow they would be better off with one parent, as the previous speaker seemed to imply, or in foster care, which is implicit in this entire debate, is utterly absurd.

The point has also been made that these two people who are seeking the adoption are to the affiliated. They are affiliated. They are affiliated in their love and caring for this child. That affiliation should be the overarching one. That affiliation should be the one that is most important.

Finally, this notion that there is nothing legally binding between these two folks, in fact, in the past in this very House there have been prohibitions put on the District of Columbia from establishing domestic partnership jurisdiction which would clarify this issue once and for all.

In fact, this argument should be about what is best for the child, not what we here think are values and how we here define ''family.'' That is not the issue.

I urge a ''no'' vote.

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

Mr. Chairman, once again I would just remind the gentleman that just spoke that the reason we are here is the courts have said that the Congress has not declared a clear intent and that is entirely what we are doing here today.

Mr. Chairman, I yield 2 minutes to my friend, the gentleman from South Carolina (Mr. GRAHAM).

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

Mr. Chairman, count me into the crowd that says, I do not want to destroy the best interest of the child rule that courts use in determining what is the best place for the child to live.

But here is the point I think we are missing: Parental rights attach in a couple ways. Biological parents have parental rights because they are the biological parents.

Can they be terminated? Yes. A court can terminate the parental rights of a biological parent. But they have to have a court proceeding where they give notice to the parent and somebody comes and makes a case; and the judge, based on the best interest of the child, will make a legal determination that their parental rights are null and void.

This is a dramatic thing in the law. That happens. But it happens very rarely. But there is room in the law to terminate parental rights. The best interest of the child is always a concern by the court. But there is a legal concept in our law that I hope we never destroy, and that is that biological parents cannot lose their children without a very good reason and we are not going to form families outside the law without a very good reason.

A person who adopts a child that is a ward of the State becomes a legal parent by going through a process that is a pretty exhaustive review of that person's qualifications to see if the best interest of the child can be accommodated by placing that child, the ward of the State, into the hands of an individual.

What my colleagues are trying to prevent here, and the gentleman from Oklahoma (Mr. LARGENT) is doing a good thing in my opinion, is not to take a couple, regardless of their gender, living outside of marriage and put

them in the same spot or the same status under the law as a couple who are legally recognized as a married couple.

That is a tremendously damaging concept I think to the legal structure around marriage. That does not mean single individuals cannot adopt children.

What the gentleman from Oklahoma (Mr. LARGENT) is saying is that couples that are not connected by the legal binds of marriage that has rules of the game and allow them separate property and assets, that we are not going to extend the adoption rules to these couples. And that makes a lot of sense.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

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

Mrs. MORELLA. Mr. Chairman, I rise in strong opposition to the Largent amendment.

This legislation not only segregates nontraditional couples but also harms children who are in desperate need of loving families.

There are approximately 3,100 children in the D.C. foster care system. We all know that children of all ages deserve love and the nurturing of an adoptive couple, ''couple'' preferably. The best interest of the child and parenting skills must be the sole factor for placement in safe and loving homes and not marital status or sexual orientation.

Congress has traditionally left family decisions, law decisions, to the State and local levels. The odds for placing all 3,100 children currently in the D.C. foster care system in loving homes are slim. It would be a travesty to further jeopardize these odds and force children to languish in institutions, at great cost to taxpayers, when there are loving couples waiting to give them homes.

Mr. Chairman, I urge my colleagues to continue to leave family law decisions where they belong, at the local level. Do not lose sight of the thousands of children in foster care who would be deprived of a loving home. Vote ''no'' on the Largent amendment.

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Mr. MORAN of Virginia. Mr. Chairman, I yield 1¾ minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma.

Last month, over 1,000 children in the District of Columbia's foster care system waited for someone, anyone, to take them home. Over 1,000 children, children looking for a stable, secure home.

The sponsor of the amendment during last year's floor debate indicated that he wanted to provide a sense of stability for children, and I believe that is true, that he wants that, and we all do. I think the sponsor has also spoken about the importance of the need for two-parent families.

So which is it? This amendment would allow single parent adoptions, but it disallows joint adoptions in the District of Columbia by persons who are not related by either blood or marriage.

I do not quite understand. The sponsor of this amendment believes it is okay not to have two single people who want to be parents to adopt a child, but it is okay to have a single parent adopt a child. Is there not a bit of a double standard here?

The gentleman from Oklahoma has spoken about not wanting to put children in an ambiguous situation, but what could be more ambiguous than keeping a child in foster care? What could be more ambiguous than keeping them in limbo, never allowing them to be adopted?

We have these children in the District who are waiting to be adopted. I would love to have 1,000 lawfully-married-in-the-eyes-of-whatever-religion couples in the District of Columbia step up and adopt these children. But that is not going to happen. I would love to have 1,000 single people in the District of Columbia decide to become a parent and step up and adopt these children. But that is not going to happen, either.

This amendment would limit the options for adoption to those two scenarios. There are 1,000 children in the District waiting to be adopted, that are looking for caring, loving families. We should not adopt this amendment, we should reject it and allow them to have the option of being adopted.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time. I want to clarify. The courts do not need this amendment. Gay couples adopt in the District of Columbia and that is not a matter where there is now need for clarification from Congress or anybody else. There is no chance that unsuitable parents can adopt in the District because the courts strictly regulate these adoptions.

This is a gay-bashing amendment. Yet everybody knows that gays can only get to adopt, under court proceedings, children that nobody else will adopt, the disabled children, the older children.

There are practical reasons why this is an important amendment. It guarantees that the child would have ongoing financial responsibility from both people; that the child's interest before doctors and hospitals and in day care programs would be protected; that in the event one parent died, the child could directly inherit; and that if a parent became ill or died, workmen's compensation and Social Security benefits could be offered.

Who would want to deny these to a child because of some notion that the parents do not suit the Members here today? They suit this child. These children need loving parents. There are 3,000 of them. They are desperate for homes.

Do not pass this tragic amendment.

Mr. LARGENT. Mr. Chairman, I yield myself such time as I may consume. Again I just want to remind the body that there is nothing in this amendment that precludes anybody, any individual or couple related by marriage or blood from adopting any children, and that in the history of the District of Columbia there has never been one case that has shown that a child has gone unadopted because they could not be given joint adoption to people that were unrelated.

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

Mr. MORAN of Virginia. Mr. Chairman, I would inquire of the time remaining on both sides.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Virginia (Mr. MORAN) has 2 minutes remaining, and the gentleman from Oklahoma (Mr. LARGENT) has 2½ minutes remaining. The gentleman from Virginia has the right to close.

Mr. MORAN of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, for those Members who do not pay much attention to the local news, I can tell them that good news is coming out of Washington, D.C. A new mayor, a new government, a balanced budget. In fact, they gave away garbage cans last week to come clean up our city. So things are happening here.

But what I am hearing from my colleagues is, ''Let's micromanage D.C., let's micromanage the way rules are promulgated.''

I would just ask my colleagues, when we had the debate of .08, Mothers Against Drunk Drivers, we all said, ''No, it's a States rights issue. Let them deal with it.''

When it came to setting speed limits on interstate highways and on local roads, we said, ''It's a State or local issue. Let them deal with it.''

But here we are saying, ''Well, maybe we'll get involved in a little or a few items that have particular resonance with our constituencies.''

Mr. Chairman, there is no perfect world out there. But for my colleagues who are pro-life, more people will be brought into this world when there are less abortions, and with that will come a perplexing situation of how do we care for these kids and how do we find enough homes for them?

Whether it is needle exchange or anything else, let us let local government decide. Let us let them be armed with information, statistics and data to decide what is the best policy for their community.

Leave D.C. alone, avoid these amendments, and let us pass the base bill.

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

Mr. Chairman, I want to close on this debate and just answer a few of the

comments that have been made about the amendment once again.

First, I want to say, in response to my colleague from Florida's statement just a moment ago, we are here explicitly because a judge in the District of Columbia, an appeals judge, said, ''I need to know what Congress means in this area. I don't know. I don't understand. Their intent is unclear.''

Mr. Chairman, that is why we are here today, to state clearly what our intention is on the issue of joint adoption being granted to people that are unrelated. That is exactly what this amendment does and nothing more.

I would also like to remind my friends and colleagues in the House that this amendment would not preclude a single adoption by a single child in the District of Columbia. In fact, it may even promote more adoptions as a result, because now as opposed to adopting as a joint custody by unrelated people, you have two individuals that can adopt individually. You can still do that. That is fine. We are not making any comments about that at all. What we are trying to do is prevent children who are already coming out of a confused background and beginning in their life from being thrown into an ambiguous and amorphous and confused situation by throwing them to a couple that are unrelated, that have no contract between them, and saying, ''You both get joint custody.'' That is wrong and we should not be doing it because it clearly is not in the best interest of the child and it definitely is not in the best interest of preserving of what it means to be married in the first place.

Mr. Chairman, I want to finish this debate by commending, first of all, the chairman of the Subcommittee on the District of Columbia because for the first time, and this is really important, for the first time in the D.C. appropriations bill, he has provided $8.5 million in this bill to promote adoption in the District of Columbia, and he should be commended for that because it is the right thing to do.

The latest information I got shows that there are about 3,500 children in the District of Columbia waiting to be adopted. This $8.5 million will go a long way in helping provide for more children to be adopted as a result of this bill being passed and put in safe environments as a result of the adoption of this amendment.

Mr. Chairman, I urge the adoption of this amendment.

Mr. MORAN of Virginia. Mr. Chairman, we also want the $8.5 million for adoption funds used most effectively.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI).

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

Ms. PELOSI. Mr. Chairman, in the interest of safe and secure adoptions for the children of the District of Columbia, I urge a ''no'' vote on the Largent amendment.

We in Congress do not have any duty more important that protecting the welfare of children. Why, then, would we deny young people in the District of Columbia the right to have two legal guardians instead of one?

There are 3,100 children in the District foster care system, and over 1,000 of them are ready to be adopted. Each of them needs a loving and stable home. This amendment would promote adoptions that are less stable and secure by outlawing joint adoptions by individuals not related by blood or marriage.

The sponsor has made it clear that his amendment does not prohibit adoptions by gays or lesbians. Of course it should not. According to the American psychological association, studies comparing children raised by non-gay and gay parents do not identify developmental differences between these two groups of children.

But since the amendment do not prohibit these adoptions, the logic of the proposals is difficult to grasp. If gay or lesbian couples are going to be adopting children, shouldn't we want those adoptions to be as stable and secure as possible? What purpose do we serve by making these adoptions more precarious?

What is really at play here is a lack of comfort with fully affirming lesbian and gay adoptions and lesbian and gay families. And what is sad is that some members of Congress would ignore the scientific evidence and allow their own lack of comfort to stand in the way of secure family placement of children.

I ask you—in light of the evidence and the overwhelming need, do we have a right to stand in the way of making adoption placements as stable and secure as possible? Are we acting on behalf of children, or our own prejudices?

Both the child Welfare League of America and the Children's Defense Fund oppose this dangerous amendment because they recognize that children in the District deserve the most stable homes we can find for them. I urge my colleagues to vote against the Largent amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. OLVER).

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

Mr. OLVER. Mr. Chairman, I rise in opposition to the amendment.

I rise in opposition to the Largent amendment which prohibits D.C. from using funds for joint adoption by people unrelated by blood or marriage.

I cannot construct or conjure up a legitimate reason for this amendment.

Under the amendment, two sisters, obviously related by blood, would have a right to jointly adopt, but two women unrelated by blood would be precluded from jointly adopting that child regardless of the relative capacity of those two families to provide a stable loving home for the child.

Under the amendment, a married couple has the legal right to jointly adopt. But a common-law couple who have been together for 20 years, have children of their own and, by every proven measure, have love to give another child or even siblings orphaned by tragedy or accident, are prohibited from joint adoption.

It is capricious to argue that two parents provide stability, legal responsibility and continuity to an adopted child, and then deliberately deny the same child the benefit of stability, legal responsibility and continuity by denying joint adoption into the common-law couple's family.

Three thousand children are presently in foster care, waiting and hoping to be adopted and have parents. One thousand of them are deemed ''ready for adoption.''

The underlying bill provides $8.5 million to promote adoption. We should not at the same time constrain the options for these children to find loving homes by attaching this mean-spirited amendment to the bill.

In my view, this amendment is without legitimate purpose and should be rejected.

Mr. MORAN of Virginia. Mr. Chairman, I yield the balance of my time to the gentlewoman from Wisconsin (Ms. BALDWIN).

The CHAIRMAN pro tempore. The gentlewoman from Wisconsin is recognized for 1 minute.

Ms. BALDWIN. Mr. Chairman, let me be clear: If this amendment becomes law, children who are being raised by unmarried couples will still have two parents. They will still receive love, protection and understanding from both parents. And thankfully this amendment cannot stop that.

But what the Largent amendment will do is end up not harming the parents but the children, by not allowing two legal parents to care for the child. There are so many reasons for a child to have a legal relationship with two parents. Legal rights, obligations and responsibilities flow from the recognition of parenthood. Some of them include the guarantee that both parents continue to have an ongoing financial relationship to the child. It assures legal access to and support from both parents in the event of a separation. It allows both parents to obtain health care and other employment-related benefits for the child which is especially important if one parent stays at home to raise the child. It protects the child in the event that one parent were to die without a will.

These are vital, vital legal responsibilities. This amendment would destabilize and on occasion rip families apart.

Mr. Chairman, I rise today in opposition to the Largent amendment.

Let me be clear: if this amendment becomes law, children who are raised by unmarried couples will still have two parents. They will still receive love, protection and understanding from both parents, and thankfully this amendment cannot stop that.

But what the Largent amendment will do is end up harming not the parents, but the children, by not allowing two legal parents to care for the child. There are so many reasons for a child to have a legal relationship with two parents. Let me list just some of the benefits to children to have two legally recognized parents:

It guarantees that both parents continue to have ongoing financial responsibility for the child;

It assures legal access to and support from both parents in the event of a separation;

It allows' both parents to obtain health and other employment-related benefits for the

child, which is especially important if one parent does not work;

It protects the child in the event that one parent were to die without a will (the child would be entitled to inherit under the laws of intestate succession;)

It allows the children to inherit from the parent's relatives, without costly legal battles;

It allows the child to be eligible for benefits such as a worker's compensation or Social Security upon the parents unemployment, disability, or death;

It allows a parent presumptive guardianship of the child if the other parent dies, thus keeping the family unit intact. Otherwise, the child could potentially lose both parents, and may be forced to live in foster care.

One such tragedy occurred here in the District of Columbia and were it not for the courts here, recognizing the best interests of children, the children would have not have only lost one parent to a tragic death * * * they would have lost a second to a travesty of justice.

If Congress truly cares about kids we should be acting in their best interests. That a member of this body would offer an amendment that will result in destabilizing families, on occasion ripping families apart, is wrong.

Mr. NADLER. Mr. Chairman, I rise today to oppose the Largent Amendment to the D.C. Appropriations Bill. This legislation would prevent joint adoptions by individuals who are not related by blood and marriage. In effect, this amendment, under the guise of ensuring the security of children, would prevent otherwise qualified couples from adopting the tens of thousands in need of adoption.

We are all aware that this amendment would prevent gay and lesbian couples from adopting children. I find it hard to believe that there are still Members of this Congress who can believe that sexual orientation has a direct effect on a person's ability to raise a child. The American Psychological Association has conclusively decided that there is no scientific data which indicates that gay and lesbian adults are not fit parents. Research by the APA has also determined that having a homosexual parent has no effect on a child's intelligence, psychological adjustment, social adjustment, popularity with friends, development of sex-role identity and development of sexual orientation. To maintain assumptions otherwise is unfair, and scientifically unfounded.

It is my belief, and I'm sure that with a moment's consideration you will all agree, that the issue of adoption is best decided by parents and trained professionals on a case-by-case basis, based on the best interest of the child. We should not deprive children of families that are capable of raising them. How can you cheat a child out of a happy home and a caring family? How can you deny a person the right to share their love, their home, and the security they can offer a child?

Raising a child is a very personal issue, one that deserves the time and consideration of individual case-by-case evaluations. Anything else is simply discriminatory. I urge my colleagues to oppose the Largest amendment, and let each child and each potential parent have the right to an individual evaluation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in opposition to the amendment offered by Representative LARGENT to the District of Columbia Appropriations bill. This amendment would prohibit unmarried couples from jointly adopting children. I believe that local governments should be allowed to make the proper decision concerning adoptions, based on the universally accepted standards that regards the best interest of the child.

Family law is not an area that Congress generally addresses because it is a local concern. State and local jurisdictions are better suited to address issues of domestic relations.

There is no reason to deny potential parents the right to adopt a child based on their marital status. If we do not deny single people the right to adopt, then an unmarried couple should not face such a restriction.

This amendment places the children that are currently waiting to be adopted at risk for remaining in the foster care system. That would not be in the best interest of any child. These children need consistent care and a safe home.

This amendment suggests that an unmarried couple cannot provide a child with a proper environment to develop intellectually and socially. But this amendment only makes that suggestion of the residents of D.C.

Currently, D.C. and 48 other states allow lesbian and gay couples to adopt when it is in the best interest of the child. It is clear that two loving parents, offer a child greater stability than one parent, yet we would make this distinction if the couple is unmarried living in D.C.

I oppose this amendment because I believe that the needs of children to be in a loving environment should not hinge on the marital status of the couple that wants to adopt. We should encourage adoption and we should allow local judges to make the decisions concerning these children. I urge my Colleagues to oppose this anti-family amendment.

AMENDMENT NO. 4 OFFERED BY MR. BARR OF GEORGIA

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oklahoma (Mr. LARGENT).

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

Mr. MORAN of Virginia. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 260, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. LARGENT) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 4 OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 106–263 offered by Mr. BARR of Georgia:

Page 65, insert after line 24 the following new section:

SEC. 167. None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

The CHAIRMAN pro tempore. Pursuant to House Resolution 260, the gentleman from Georgia (Mr. BARR) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I know that some folks will not listen to this, but right off the bat, let me implore those who will be considering and voting on this amendment to understand as much what it does not do as what it does.

Mr. Chairman, this amendment has nothing whatsoever to do with the publication of the ballot results of the marijuana initiative held in the District of Columbia last year. The current prohibition on taking steps to count and report the results of that ballot extend only through the end of this fiscal year. The amendment that I propose here has nothing to do with the counting of that ballot.

It has everything to do with continuing to say to the people of this country that insofar as the Federal Government has concern and jurisdiction over drug usage, that no moneys contained in this act shall be used for the purpose of legalizing or reducing the penalties for any schedule I controlled substance including, but not limited to, marijuana.

If, in fact, the residents of D.C. have voted last year to legalize marijuana under the so-called medicinal use purpose, then this amendment today, if it is included in this appropriations bill, will prohibit further steps from being taken to implement that initiative. Without this amendment, if in fact the residents of the District of Columbia have voted in favor of marijuana legalization, without this amendment it will go into effect.

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That is what this amendment addresses, that is all that it addresses, is further steps, any further steps towards the legalization of marijuana or other drugs under controlled substances, schedule 1, in the District of Columbia.

Now I also have and I am sure the folks on the other side have a letter from the Office of the Corporation Counsel for the District of Columbia worrying terribly that the Barr amendment today would prohibit the counting of the ballots of last year's drug initiative. Let me assure the Corporation Counsel that this is not the case.

I have also spoken with the subcommittee chair. He understands that this is not the case and has indicated, if it remains a problem for those on the other side who are not going to listen to this debate, then we will include language, seek to include language, in the conference report.

Now that the red herring that the Barr amendment we are discussing today would somehow prohibit the

counting and the reporting of the ballots from last year's marijuana initiative, let me reiterate what this amendment does and why it is so essential. It is essential because it will stop further steps from being taken pursuant to last year's initiative or any other from legalizing or reducing the penalties for marijuana or other schedule 1 controlled substances. It will not prevent after the commencement of the next fiscal year on October 1 the counting and reporting of any ballot previously taken.

LEGALIZATION OF MARIJUANA FOR MEDICAL TREATMENT INITIATIVE OF 1998

SUMMARY STATEMENT

This initiative changes the laws of the District of Columbia to: Restore the right of seriously ill individuals to obtain and use marijuana for medical purposes when recommended by a licensed physician to aid in the treatment of HIV/AIDs, glaucoma, muscle spasm cancer, or other serious or chronic illnesses for which marijuana has demonstrated utility; protect seriously ill Washingtonians, their licensed physicians and caregivers from criminal prosecution or sanction; legalize—for medical purposes only—the possession, use, cultivation, and distribution of marijuana in the District of Columbia, and maintain the prohibition and criminal sanctions against the use of marijuana for any nonmedical purpose.

TEST

Be it enacted by the Electors of the District Of Columbia. That this act may be cited as the ''Protecting Medical patients and Providers from marijuana Prosecution Initiative of 1998''.

Sec. 2. All seriously ill individuals have the right to obtain and use marijuana for medical purposes when a licensed physician has found the use of marijuana to be medically necessary and has recommended the use of marijuana for the treatment (or to mitigate the side effects of other treatments such as chemotherapy, including the use of AZ1, protease inhibitors, etc., radiotherapy. etc.) or diseases and conditions associated with [HIV and AIDS;, glaucoma, muscle spasm, cancer and other serious or chronic illnesses for which the recommending physician reasonably believes that marijuana has demonstrated utility.

Sec. 3. Medical patients who use, and their primary caregivers who obtain for such patients, marijuana for medical purposes upon the recommendation of a licensed physician do not violate the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4–29; D.C. Code §33 501 et seq.) (controlled Substances Act''), as amended and in so far as they comply with this act, are not subject to criminal prosecution or sanction.

Sec. 4. (a) Use of marijuana under the authority of this act shall not be a defense to any crime of violence, the crime of operating a motor vehicle while unpaired or intoxicated, or a crime involving danger to another person or to the public, nor shall such use negate the mens rea for any offense.

(b) Whoever distributes marijuana cultivated, distributed or intended to be distributed or used pursuant to this act to any person not entitled to possess or distribute marijuana under this act shall be guilty of crime and subject to the penalty set forth in section 401 (a)(2)(D) of the Controlled Substances Act (D.C. Code §33–541(a)(2)(0)).

Sec. 5. Notwithstanding any other law, no physician shall be punished, or denied any right, privilege or registration for recommending, while acting in the course of his or her professional practice, the use of marijuana for medical purposes. In any proceeding in which rights or defenses created by this act are asserted a physician called as a witness shall be permitted to testify before a judge, in camera, Such testimony, when introduced in a public proceeding, if the physician witness so requests, shall have redacted the name of the physician and the court shall maintain the name and identifying characteristics of the physician under seal.

Sec. 6. (a) Any District law prohibiting the possession of marijuana or cultivation of marijuana shall not apply to a medical patient, or to a medical patient's primary caregivers, when a medical patient or primary caregiver possesses or cultivates marijuana for the medical purposes of the patient upon the written or oral recommendation of a licensed physician. The exemption for cultivation shall apply only to marijuana specifically grown to provide a medical supply for a patient, and not to any marijuana grown for any other purpose. In determining a quantity of marijuana that constitutes a medical supply, this act shall be interpreted to assure that any medical patient protected by the act shall have access to a sufficient quantity of marijuana to assure that they can maintain their medical supply without any interruption in their treatment or depletion of their medical supply of marijuana.

(b) The prohibition in the Controlled Substances Act against the manufacture, distribution, cultivation, or possession with intent to manufacture, distribute, or cultivate, or against possession, of marijuana shall not apply to a nonprofit corporation organized pursuant to this act.

Sec. 7. A medical patient may designate or appoint a licensed health care practitioner, parent, sibling, spouse, child or other close relative, domestic partner, case manager/worker, or best friend to serve as a primary caregiver for the purposes of the act. A designation under this act need not be in writing; however, any written designation or appointment shall be prima facie evidence that a person has been so designated. A patient may designate not more than four persons at any one time to serve as a primary caregiver for the purposes of this act. [:or the purposes of this subsection, the term ''best friend means a close Friend, who is feeding, nursing, bathing, or otherwise caring for the medical patient while the medical patient is in a weakened condition.

Sec. 8. Residents of the District of Columbia may organize and operate not-for-profit corporations for the purpose of cultivating, purchasing, and distributing marijuana exclusively for the medical use of medical patients who are authorized by this act to obtain and use marijuana for medical purposes. Such corporations shall comply with the district's nonprofit corporation laws. Fees and licenses shall be collected by the Department of Consumer and regulatory Affairs (''DCRA'') in the same manner as other not-for-profit corporations operating in the District of Columbia. The Director of DCRA shall issue such corporations exemptions from the sales tax, use tax, income tax and other taxes of the District of Columbia in the same manner as other nonprofit corporations.

Sec. 9. The exemption from prosecution for distribution of marijuana under this act shall not apply to the distribution of marijuana to any person under 18 years of age unless that person is an emancipated minor, or a parent or legal guardian of the minor has signed a written statement that such parent or legal guardian understands: (i) the medical condition of the minor, (ii) the potential benefits and the potential advese effects of the use of marijuana generally and in the case of the minor, and (iii) consents to the use of marijuana for the treatment of the minor's medical condition. Violation of this section shall be subject to the penalties of the Controlled Substances Act.

Sec. 10. (a) The Director of the Department of Health of the District of Columbia must develop a plan and submit it, within 90 days of the approval of this act to the Council of the District of Columbia to provide for the safe and affordable distribution of marijuana to all patients enrolled in Medicaid or a Ryan White CARE Act funded program who are in medical need, who desire to add marijuana to their health care regimen and whose licensed physician reasonably believes that marijuana would be beneficial to their patient.

(b) Within 30 days of the certification of the passage of this act by the people of the District of Columbia, the Mayor of the District of Columbia shall deliver a copy of this act to the President and the Congress to express the sense of the people of the District of Columbia that the Federal government must develop a system to distribute marijuana to patients who need it for medical purposes.

Sec. 11. If any provision of this measusre or the application thereof to my person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

Sec. 12. This act shall take effect after a 30 day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1–233(c)(1)).

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

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Georgia (Mr. BARR) and claim the time.

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

Mr. Chairman, we oppose this amendment. We certainly oppose the use of drugs that would contribute to a drug culture, that would contribute to the debilitation of any individual human being, but that is not the issue we are arguing. The issue we began arguing is whether the District of Columbia can count the ballots in a referenda that inquired as to whether people would support the ability of doctors to prescribe marijuana for their patients who are terminally ill, generally of AIDS, so as to relieve their suffering. Again, my colleagues would think that that should be a professional decision made by professional medical practitioners.

Now up until now, Mr. BARR's intent was to prevent the votes being totaled. That prevented about $1.30 apparently from being spent to itemize the ballots. The gentleman from Georgia (Mr. BARR) now goes beyond that to say that under any circumstances regardless of what the outcome of that referendum might be that the citizens of the District of Columbia cannot have their doctor prescribe for patients who are suffering to be able to use marijuana to relieve their suffering.

Mr. Chairman, there are some ramifications of this amendment that go beyond what some might consider to be a

relatively heartless attempt on the part of the proponent of the amendment. For example, prohibiting the reduction of penalties associated with the possession, use or distribution of marijuana or any schedule 1 substance undermines the efforts of law enforcement, the courts, and the correctional system to enter into plea bargains with criminal defendants in their war against illegal drugs. It could eliminate the option of reducing sentences of prisoners as an incentive to encourage good behavior.

The gentleman from Georgia (Mr. BARR) I know was an assistant U.S. Attorney. He understands how important it is to be able to plea bargain, to be able to have flexibility, to look for the broader objective of reducing drug use or even to use individuals who are caught to be able to turn in the people who are truly distributing drugs. There are a lot of ramifications of this amendment, all of them negative. This should be defeated.

Now at this point I am going to reserve the balance of our time, so a number of subsequent speakers can list a number of reasons for our colleagues to vote against this amendment.

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

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the sky is not falling, and the sky will not fall if this amendment is adopted; let me assure my colleagues on the other side.

The extent to which the other side and the key proponent who just spoke is opposed to this amendment either blinds his judgment or his ability to fairly read within the four corners of the amendment, or he is simply engaging in an argument that he knows not to be an accurate one, there is nothing in this language that either expressly or by the wildest interpretation of its language would reduce in any way, shape or form the ability of any prosecutor to plea bargain. This amendment is by its four corners and by any reasonable interpretation designed simply to stop efforts to legalize or reduce penalties for the possession or use of controlled substances. It has nothing to do with plea bargaining which does not reduce penalties for, it simply disposes of a particular case.

I look forward to the other statements that the other side will put forward in opposition to simply standing for the proposition that we do not want and this body should not condone efforts to legalize drug usage in the District of Columbia.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the gentleman from Georgia (Mr. BARR) for yielding this time to me.

This is not about health care. The word medicinal in front of this is so disgusting. Marinol, a subpart of marijuana, can be used to treat, and it is legal, and if the only way you can do it is through smoke marijuana, one can go to HHS, and there is an appeal process for those rare cases.

This is a national drug battle being funded by a few individuals, and it is a back-door way to legalize marijuana. Every year, we go through a drug certification process for other nations. When I go down to Columbia or to Mexico or to Peru and Bolivia and other countries, they always say, ''What's your standard in the United States?'' If in our Nation's capital, we are going to relax our drug laws and allow the back-door legalization of marijuana in our Nation's capital, a violation of federal law, then we should not be here, we should not be doing the drug surveys.

We ought to just acknowledge that we are going to allow the toleration of marijuana because that is, in fact, where we are headed here, that this is like saying that a subcomponent of arsenic can be helpful to somebody, therefore, we are going to encourage the use of arsenic or some other substance that can be fatal, that marijuana is the gateway drug along with tobacco and alcohol to the heroin, to the crack and in and of itself, as we have heard in numerous drug hearings, from abused mothers.

We had an abused mother in Arizona who told how our husband got on marijuana, mixed it with alcohol, was beating her, and she was in constant fear of her life. It is not just harder drugs, it is also the marijuana. We had multiple wrecks in the last year in my district where students who were on marijuana or those older than students were on marijuana who had automobile wrecks that terminated the lives of other people.

We cannot in our Nation's capital where the Constitution specifically says to exercise exclusive legislation in all cases whatsoever over such district especially when it is a national law. This law applies to every State. The States that went through these referendums are, in fact, being prosecuted in courts to resolve this. There is absolutely no reason to implement such a law in District of Columbia. It would be an abomination to our country.

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

Mr. Chairman, I would suggest to the gentleman from Georgia (Mr. BARR) that the source of my comments about limiting the ability of legal professionals to come up with plea bargains and to otherwise pursue justice in the court system came from the United States Justice Department and from the offender supervision division of the District of Columbia. So it was not my personal opinion, it was a professional opinion that this could do harm to their ability to reduce drug addiction and to go after drug criminals.

Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, first I want to welcome the gentleman from Georgia's belated conversion to democracy. I gather he is no longer insisting on the amendment he successfully authored last year to prevent the counting of votes, which I must say seems to me the least intellectually valid enactment of the United States Congress in its history. He has backed away from that. But what he now has is a rather poorly drafted amendment that is very different than the one its proponents defend.

In the first place, it does not just say law, it says law, rule, or regulation. If there were to be a policy in the prosecutor's office governing plea bargaining in controlled substances cases and my colleague wanted to amend that rule by which he controlled the practice of plea bargaining, it might be effective, but all the more important is the other language. It does not just say to legalize it, it says otherwise reduce penalties.

So do my colleagues know what would be illegal under this if it applies? Government Pataki of New York, the Governor of New York, has recently proposed, a good Republican, George Pataki, has just proposed to reduce some of the sentencing. They have mandatory minimums, and he said those are not working. If they were governed by this, it could not happen.

Now are we going to tell the District of Columbia that they cannot in their policy experiment with a diversion program for first offenders, with reducing mandatories?

This Congress passed a law in 1994 over the objections of many on that side, but it was passed by the Congress, which did away with mandatory minimums in some cases for some controlled substances. Had we been bound by this law, it could not have happened.

This is an outrage.

The debate about legalization and medical marijuana can move forward. I will note that this horrendous policy of supporting medical marijuana that is being decried over there has been supported by the electorates of many States, and I keep noting the extent to which the Republican party, at least as represented in the House, is falling out of love with the voters of America. Time and time again in public opinion polls or referenda the voters disappoint my friends over there.

Then we heard from one gentleman about, well, we need to do prohibition. His argument was for prohibition of alcohol, not just marijuana, but this goes far beyond legalization. This says they cannot reduce penalties, they cannot reduce mandatory minimums, they cannot experiment with diversion programs. It ought to be rejected.

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I would remind my learned colleagues on the other side that the role of the U.S. attorney is governed very distinctly from the D.C. Appropriations

Act. I would also remind my colleagues that the Department of Justice is funded in an entirely different appropriations bill. This amendment here has nothing whatsoever to do with the power of U.S. attorneys to continue to prosecute cases. The judges do continue to sentence under federal laws and the ability of Federal prosecutors in the District of Columbia to plea bargain.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I probably, in committee, surprised some of my liberal friends by supporting the counting of the ballots. To me, it violated the First Amendment rights of individuals who at least expressed their opinion. I also stated that I would do everything in my power to fight against legalization of marijuana.

In California they had an initiative, and they have found such extreme abuse of using marijuana for medicinal purposes and medical because they could always find some doctor from the hippy generation of the 1960s or 1970s that would prescribe just to basically get around the law. They have had tremendous problems in California already with it, and I think it is wrong.

I think the liberalization of family values, the liberalization of our traditions and our laws are part of the problems why we end up with Columbines and those kinds of things. I think to back off on marijuana and other drugs would do the same kind of thing, and I will fight tooth, hook, and nail against the legalization of marijuana, but not the right to express one's opinion on it. I think that part is wrong.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

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

Let us face it. What is this amendment doing here?

This amendment is inspired by a medical marijuana initiative many residents may have opposed, but the outcome is unknown because of the amendment offered by the gentleman from Georgia (Mr. BARR) amendment last year. It is outrageous enough to overturn local legislation without the consent of the governed. Mr. BARR just cannot wait. He wants to strike down a local initiative before it is enacted and even without knowing that it will be enacted. Even if a medical marijuana initiative passes, it could not move forward without legislation by the city council.

The poor wording of this amendment will lead to consequences that even the gentleman from Georgia (Mr. BARR) did not intend. The phrase: Otherwise reduce penalties associated with drug use is so overbroad it will produce challenges against what courts and prosecutors do every day. If we cannot otherwise reduce penalties, we may not be able to reduce drug sentences for routine matters like a defendant's cooperation with the prosecution or successful completion of drug rehabilitation.

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I would never ask my colleagues to support permissive drug use, and our own constituents know us better than that.

The full Committee on Appropriations eliminated this amendment because it recognized that democracy, not drugs, was the issue. Mr. Chairman, I ask my colleagues to respect that judgment. The gentleman from Georgia and any Member of this body can repair to their remedies after the legislation is enacted. We ask, for goodness sake, that you spare us something unprecedented, even for the District of Columbia, prior restraint on democracy.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The Chair would remind the Members that the gentleman from Virginia (Mr. MORAN) has 2½ minutes remaining and the right to close; and the gentleman from Georgia (Mr. BARR) has 1 minute remaining.

Mr. MORAN of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I commend the gentleman for his leadership on this bill, and the gentleman from Oklahoma (Mr. ISTOOK) as well for his leadership in bringing the bill to the floor.

I rise in strong opposition to the Barr amendment for the following reasons. The findings of scientific research, the will of the voters of the District of Columbia, and compassion for people with serious illnesses all argue against this amendment.

In the spring of this year, the Institute of Medicine issued a report that had been commissioned by the Office of National Drug Control Policy. The study found that marijuana is ''Potentially effective in treating pain, nausea and anorexia of AIDS-wasting and other symptoms,'' and it called for more research on the use of marijuana in medical treatment. That is the latest science.

Finally, we must consider the need for people with cancer, AIDS, and other serious illnesses who want access to a drug which can help them deal with the symptoms of their illnesses. Of course, all of us in this body are opposed to illegal drug use, and those of us who are voting ''no'' on this amendment are strongly opposed to illegal drugs. I hope there is no question about that. We are also against the use of Federal law to make criminals of terminally ill people who are trying to use a proven remedy to seek relief.

The American Academy of Family Physicians, the American Preventative Medical Association, and the American Public Health Association all support access to marijuana for medicinal purposes.

Voters in my home State passed an initiative in November 1996 authorizing seriously ill patients to take marijuana on the recommendation of a licensed physician. Proposition 215 has authorized as many as 11,000 Californians who suffer from AIDS and many other debilitating diseases with safe and legal access to a remedy that makes life a little more bearable.

Thousands of constituents in my district struggling with AIDS and cancer will tell us that choosing the appropriate medical treatment should be a decision for public health officials, physicians and patients, not for the House of Representatives.

Mr. Chairman, I urge my colleagues to oppose the Barr amendment.

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if anybody ever wondered what one big loophole looks like, this be it. This is a copy of the Legalization of Marijuana for Medical Treatment Initiative that is the subject matter of this debate. If one reads, and I do not know whether folks on the other side have actually read the D.C. Initiative, but if they do, they will find it is one massive loophole. It is not limited only to certain types of diseases, it applies to virtually anything. It is not limited simply to patients who say that marijuana or doctors who say that marijuana has a proven medical use. It is simply, does marijuana have a demonstrated utility, whatever in the heck that means.

It also allows not only for the patient to have this marijuana, but for any friend of theirs who might have it to give to them.

So it is just replete with loopholes. It does not even require a written prescription. It can simply be an oral recommendation of the doctor.

This is bad legislation. If we do not stop it today, it will go into effect, and we would be telling the people of this country that drug usage is okay in our Nation's Capital. We should not do that. Support the Barr amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, it is difficult to argue to make any drugs legally available. But under some circumstances, we do make drugs legally available. Certainly, morphine is customarily used when people are suffering. I know I, myself, when my mother was dying and experiencing a great deal of pain, I had to inject morphine, simply to reduce the suffering. I never would have done that, but the doctors prescribed it.

Basically, that is what we are suggesting here, that we defer to the judgment of medical professionals. If there is a way to relieve people's suffering, people that are experiencing terminal illness, we should allow this. This is a tough vote, but I do think the right vote is to vote ''no.'' Leave this to the medical community.

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the Barr amendment.

Mr. Chairman, I rise today in strong support of the Barr amendment to the FY 2000 District of Columbia appropriations bill. This amendment would prohibit the use of funds in the bill to legalize or reduce penalties for the possession, use, or distribution of any schedule I substance, including marijuana, under the Controlled Substances Act.

In recent years, the issue of promoting so called ''medicinal'' uses for marijuana has taken hold in several states. In 1996, both California and Arizona voters passed referendums, in defiance of federal law, which permitted the use of marijuana as a medical device, primarily pain relief.

Mr. Chairman, the number of adolescents who have used marijuana has doubled since 1993. It has been well established that marijuana is a gateway drug, whose use often leads to more serious drug consumption, such as heroin and cocaine use. These trends need to be reversed.

The proponents of a policy supporting the medicinal use of marijuana are simply using the issue as cover for the larger issue of drug legalization.

We must not be seen as sending mixed and confusing messages on illicit drug use to our young people. Illicit drugs are simply wrong, our country knows all to well that drugs are destructive, dangerous and deadly, nothing more, nothing less.

In their zeal to decriminalize the use of illicit substances, supporters of legalization fail to mention the consequences which would result from such a move.

Drug use is destructive behavior with consequences affecting far more than the individual in question. To pretend otherwise is to deny reality and embrace a seductive illusion that only leads to despair and hopelessness.

I urge my colleagues to strongly support this amendment.

Mr. NADLER. Mr. Chairman, today we are debating an amendment that has no business in this appropriations bill. the Barr amendment will continue the unprecedented assault on the democratic process. As many of my colleagues know, a provision that was inserted into last year's D.C. appropriations bill included a section that prohibited the District of Columbia from spending any funds to count and certify the results of a voter referendum, Measure 59, held last November. The voters cast their ballots on whether the local law should permit the medical use of marijuana. Those ballots sit uncounted and uncertified because the Barr amendment.

The cost of the District using its own funds to count and certify the results is literally a few dollars, but the Barr amendment has forced the Federal Government to incur substantial litigation costs defending last year's decision against letting the voters be heard on a local issue. This is absurd and this amendment should be rejected on its face. Why are some in this Congress so intent on impeding the democratic process in the District of Columbia?

Mr. Chairman, this amendment would bar the government of the District from using any federal funds to assist any medical marijuana program. That is what this amendment is about. In addition, because the amendment would bar the District from using local funds to ''enact or carry out any law, rule or regulation'' that reduces penalties for any Schedule I substance or THC derivative, this will threaten existing programs like the availability of Marinol, a THC derivative, which is used to treat patients suffering with HIV/AIDS.

Mr. Chairman, the citizens of the District have spoken and have decided that marijuana should be used for medicinal purposes. This is another attempt by the gentleman from Georgia to interfere with District citizens, who are, after all, only exercising one of the few democratic rights that Congress has allowed them—the right to vote on initiatives and referenda.

Mr. Chairman, medical studies demonstrate that in some cases marijuana has proven effective in treating pain and discomfort for patients, especially those that are undergoing chemotherapy. The medical use of marijuana is a public health issue; it is not part of the war on drugs. Once again, marijuana has been proven to relieve the pain and suffering of seriously ill patients. It is unconscionable to deny an effective medication to those in need.

Mr. Chairman, I would like to point out for the record that former Speaker Gingrich and the distinguished chairman of our own Crime Subcommittee once agreed with medicinal use of marijuana. in 1981, Representative Newt Gingrich and Representative BILL MCCOLLUM, cosponsored H.R. 4498, a bill introduced by the late Congressman Stuart McKinney, that would have allowed the medicinal use of marijuana. In 1985, Chairman MCCOLLUM again cosponsored H.R. 2282, a bill reintroduced by Congresswoman MCKINNEY, which would have allowed the medicinal use of marijuana. I, along with many others, would be very interested to learn why our colleagues changed their minds.

Mr. Chairman, many states have held state referenda on the use of medical marijuana. Two states, California and Arizona, have successfully passed legislation to allow the prescribed use of marijuana for medicinal purposes. The voters of these states have spoken and in our democratic system they must be respected.

Mr. Chairman, although the Congress exercises oversight over the District, we should not micromanage it. We should trust the citizens of the District and their elected officials to manage and implement policies that benefit the District and its residents.

Finally, Mr. Chairman, permitting the medical use of marijuana to alleviate the pain and suffering of people with seriously ill conditions does not send the wrong message to children or anyone else. It simply states that we are compassionate and intelligent enough to respect the rights of patients and the medical community to administer what is medically appropriate care. It is time for this Congress to acknowledge that a ban on the medicinal use of marijuana is scientifically, legally, and morally wrong.

Mr. DELAHUNT. Mr. Chairman, I rise in opposition to the amendment by the gentleman from Georgia.

The amendment seeks to nullify the results of a popular local initiative by congressional fiat. So much for ''federalism'' and ''states' rights.'' So much for ''local self-determination.''

And so much for common sense. But then, whenever marijuana is involved, some of our colleagues seem to take leave of their senses altogether.

When the citizens of California and Arizona voted in 1996 to allow doctors to prescribe marijuana for medical purposes, this House responded with a resolution declaring that ''marijuana is a dangerous and addictive drug and should not be legalized for medicinal use.''

Yet we all know that many narcotics—such as morphine and even cocaine—which are highly dangerous when used without proper medical supervision, are nonetheless approved for a range of medical uses.

We do not deny narcotics to cancer patients because it could ''send a signal'' to others who might wish to use these drugs recreationally. Yet that is what this amendment would say with regard to marijuana. With all due respect, I do not believe that anyone who had watched an AIDS or cancer patient suffer uncontrollable nausea for hours at a time could make such an argument.

Proponents of the amendment are quick to point out that the scientific community is divided over the medical benefits of marijuana. They are less quick to acknowledge that both the benefits and the dangers of a large number of medical substances are subject to scientific dispute.

I submit that it is not the job of the Congress to resolve such disputes. We could argue all day about the science. But that is not our role.

It is not our role to prohibit scientists from continuing to develop sound data regarding the safety and efficacy of marijuana—as they do with any other experimental treatment.

And it is both foolish and inhumane for us to prevent licensed physicians and their patients from studying the growing literature, weighing the benefits and the risks, and deciding whether the use of such drugs is medically appropriate—especially when more conventional therapies have been found ineffective.

If we are determined to override these local decisions, and to replace sound medical judgment with our own, let's at least not be hypocritical. Let's take morphine and cocaine off the market as well. Let's explain to the patients who depend on these drugs to control their pain that they will simply have to suffer so that we can send the ''right signal'' about drug abuse. I'm sure they'll understand.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Georgia (Mr. BARR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

Page 65, insert after line 24 the following new section:

SEC. 167. Nothing in this Act prohibits the Department of Fire and Emergency Services of the District of Columbia from using funds for automated external defibrillators.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the Rules of the House.

Mr. ISTOOK. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. The gentleman from Oklahoma reserves a point of order.

Mr. STEARNS. Mr. Chairman, my amendment is very straightforward. It states that nothing in this act prohibits the Department of Fire and Emergency Medical Services of the District of Columbia from using funds for automatic external defibrillators.

This amendment, Mr. Chairman, seeks to highlight how invaluable AEDs are to use to save personal lives. This is endorsed by the American Heart Association, the American Red Cross, the American Association of Respiratory Care, the American College of Cardiology, the Citizen CPR Foundation, and the International Association of Firefighters. These are just a few people that support the idea of making AEDs available in Federal buildings.

I want to make it clear to my colleagues that this amendment in no way seeks to dictate to the District of Columbia how they should spend their money.

An AED of course is a device that is a little larger than a laptop computer. It automatically analyzes heart rhythms and delivers an electric current to the heart of a cardiac arrest victim. AED can restart a heart that has stopped beating.

Passage of this amendment simply reaffirms that the District of Columbia should have access to the most up-to-date, state-of-the-art equipment. Like AEDs, they can restore a normal heart rhythm in persons suffering from sudden cardiac arrest.

Mr. Chairman, frankly, it does not require a lot of training. Just turn it on and it tells someone what to do. It allows a great number of people to be able to respond to medical emergencies that require defibrillation. They are essential to strengthening this chain of survival for anybody that has a cardiac arrest.

The four links to this process, of course, are dialing 911 as a first step, early resuscitation, and then defibrillation, and then, of course, early and advanced life support.

While defibrillation is the most effective mechanism to revive a heart that has stopped, it is the least accessed tool we have available. So I think putting AEDs in Federal buildings is much like the argument for putting firefighting equipment in the buildings.

Studies show that 250 lives can be saved each and every day from cardiac arrest by using the AED device. Those are the kinds of statistics that no one can argue with.

No one knows when a sudden cardiac arrest might occur. According to a recent study, the top five sites where cardiac arrests do occur of course are at airports, county jails, shopping malls, sports stadiums, and of course golf courses. I believe we would all do ourselves a favor and great comfort in knowing that in any one of these Federal buildings or, for that matter, any District building, that we have in Washington, DC, that the most up-to-date equipment is available and that folks are now trained to use it to help all Americans.

They are being produced today very inexpensively. They are easy to maintain, and so I think between those two things, the state of the art is bringing costs down for the AEDs and they afford a wider range of emergency capability for trained and equipped personnel.

So I think with all of the tourists we have here in the District of Columbia each day, I think it is important that all of the Federal buildings, as well as the District of Columbia, have these available.

Mr. Chairman, I have talked to the gentlewoman who represents D.C. on this matter, and I urge my colleagues to adopt this amendment.

POINT OF ORDER

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK) on a point of order.

Mr. ISTOOK. Mr. Chairman, it is my understanding that the gentleman from Florida (Mr. STEARNS) desires to withdraw his amendment by unanimous consent and that his language be included in the report in the bill.

Mr. STEARNS. That is correct, Mr. Chairman. I have worked out the language with the gentlewoman from the District of Columbia (Ms. NORTON), and as I understand, if she would confirm this, that she accepts the report language that I have, and then, by unanimous consent, I will withdrawal my amendment.

Mr. MORAN of Virginia. Mr. Chairman, we have no objection. We would defer to the judgment of the Chairman.

Ms. NORTON. Mr. Chairman, if I could respond, I want to thank the gentleman for working with me on an issue of mutual interest so that we did not have to go into statutory language or a point of order and yet could get the agreement of the District after a call to the police department on a matter that is of considerable importance. I appreciate the gentleman drawing it to my attention, and I appreciate the way in which the gentleman has worked with me collegially to get a satisfactory solution.

Mr. STEARNS. Mr. Chairman, I appreciate the compliment and I am always glad to work with the gentlewoman.

The report language in a sense is that we should conduct a study about the need for placement of the automatic external defibrillators in the Federal buildings and District buildings, so I think it is a first step for this country to recognize that AEDs are an important survival technique, and we are taking that step this afternoon here on the House floor.

I thank the chairman of the D.C. Committee on Appropriations.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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

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

Mr. BENTSEN. Mr. Chairman, today as we consider the appropriations bill for the District of Columbia, I want to highlight a high-profile case of police incompetence that has grievously affected some of my constituents. Last year, a resident of Baytown, Texas, Ms. Chandra Smith was only 2 months away from graduating from the University of Maryland when the car she was traveling in was broadsided by another vehicle on a District street, ending her life. Deaf since the age of 2 from meningitis, Chandra was looking forward to her graduation which would have occurred in December.

The suspect, who tried to flee the scene, was quickly apprehended by District police. However, in the first of many police department missteps, none of the attending officers called the police department's mobile crime personnel unit who routinely examines skid marks and patterns of debris and take photographs and measurements of fatal accident scenes. These mistakes, while serious, were a harbinger for an even more appalling series of events.

The Smith case was assigned to Detective James Walsh, whose handling of several other fatal crash scenes had been under review by the D.C. Police Department. When Detective Walsh began his investigation into the Smith case, he failed to order a blood sample from the suspect and did not get a warrant to search the suspect's vehicle. After he allowed the car to be towed, the police property division inadvertently junked the vehicle which contained direct evidence that the car should not have been on the road that night due to poor brakes and substandard steering. Police investigators later determined that the D.C. Department of Motor Vehicles inspectors passed the vehicle just weeks before.

□ 1430

Following these grossly negligent actions and mismanagement, another investigator was assigned to the case and prosecutors assembled a grand jury in an attempt to obtain further evidence and information.

In the weeks after the accident, Chandra's parents remained in close contact with the lead detective, who assured them that the suspect would be charged with vehicular homicide and that the case would be turned over to a grand jury. Like any parents in this situation, the Smiths assumed that the case would result in a clear-cut conviction. But without the car and the measurements, the accident was impossible to reconstruct.

In its response to the lapses in the Smith case, the District's police actions were completely inadequate. The lead detective, who clearly failed to perform even the most basic functions

of an accident investigator, was demoted and reassigned. His supervisors, who had allowed this detective to investigate the crash site, were reprimanded for their poor oversight of the detective.

What came to light after this case is even more shocking, that the lead detective had performed so poorly that 14 of his cases had been reassigned to other detectives because of his ineptitude in investigating accident scenes. The District police had long known this detective was not carrying out the basic functions of an accident investigator, such as interviewing key witnesses, taking blood samples, photographing crime scenes, and preserving evidence.

After learning of the Department's lapses in January 1999, Chandra's parents were contacted by an investigator with the U.S. Attorney's Office, who tried to salvage the case and bring some justice to the Smith family. The Smiths worked with an Assistant U.S. Attorney to reconstruct some of the evidence, including turning over detailed pictures of the car that the insurance company had taken following the accident.

While a grand jury was convened, there have been no indictments and the case has now been closed. The Smith family, who have suffered through a terrible, wrenching tragedy, have been denied justice for their daughters's life. Due to the original handling of this case, these parents are left searching for answers that may never be resolved.

Mr. Chairman, I appreciate the tough job that the men and women of the D.C. Police Department have to do, and I believe that the vast majority do it well. But the incompetence in handling of the Smith case should not be tolerated.

As we consider the funding levels for the District of Columbia for fiscal year 2000, I want to urge all of my colleagues and particularly the members of the committee to consider this case and the implications for our constituents who may be affected by the inaction and incompetence in this instance by the District Police Department.

I also urge Police Chief Charles Ramsey, who has acted with compassion in his response to this matter, to take every action necessary to resolve this case. The job performance of the lead detective and the supervisors in this case were completely unacceptable. Their lack of action has caused enormous grief for a family who may never achieve even a small measure of justice for the loss of their daughter. They clearly deserve better, and so do the residents of the District of Columbia and the citizens of the United States.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). A few minutes ago the Chair noted a disturbance in the gallery, in contravention of the law and rules of the House.

The Sergeant at Arms removed those persons responsible for the disturbance and restored order to the gallery.

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

Mr. Chairman, I appreciate the remarks of the gentleman from Texas (Mr. BENTSEN), and although I have no personal familiarity with the circumstances he relates, I certainly share his concern about the proper enforcement of laws and the proper procedures being followed by the police within the District for the protection of the citizens, whether they reside here, visit here, or work here.

I do want to point out to the gentleman that in the bill we have provided $1.2 million for the expenses of the Citizen Complaint Review Board, which is intended to deal with concerns about police procedure, whether they be activity or inactivity, actions or oversights.

I would certainly encourage the persons involved in the incident that he mentioned to utilize the services of that board, which we have sought to fund, to assist the District in resolving what we know are some long-term accumulated problems regarding the police department that I know Chief Ramsey wants to aggressively correct.

So I appreciate the gentleman's comments, and I certainly hope that the Citizen Complaint Review Board will be of assistance to him.

I also wanted to note, Mr. Chairman, on the Barr amendment, which was adopted by voice vote, there were a couple of concerns raised about whether there might be some unintended consequences. That is a conferencible item with the Senate, and we will certainly look at that to make sure that no unintended consequences occur. I know the gentleman from Georgia (Mr. BARR) feels the same way, and we will be looking at that in conference.

I also wanted to state, Mr. Chairman, we will be having the vote shortly on the Norton amendment, which regards the ability to use public funds on the voting rights litigation that persons in the District have filed against the Federal Government.

I expect, based upon past votes, that the House would reject that amendment and continue the prohibition, but I did want to note for the RECORD that I have initiated the conversation with the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Virginia (Mr. MORAN), the ranking member, about the possibility of addressing this in conference, where, rather than an outright prohibition, we might be able to make sure, of course, that nothing is reimbursed for past work, but that the District might consider having limited availability of local funds only for future litigation expenses in their discretion.

I intend to address that with the conferees, and we will see if that might be the end result. Certainly, of course, the amendment remains before the House to work its will, as it has previously.

Finally, Mr. Chairman, although we have devoted time today to talking about different amendments that are being offered to the bill, I think it is important that we all understand that there are some very important initiatives in this piece of legislation: the drug testing and treatment for the 30,000 offenders who are widescale violating the conditions of their freedom, that we need to get either off the streets or off of drugs, this is a major initiative; the adoption initiative; the approval of the management reforms by the District; the charter school assistance and strengthening within the District; and certainly approving the District's tax cut, which they have taken as a bold step in further improving the economic status of the District and everybody who resides here.

Regardless of the vote on the amendments, I certainly intend to support the work of this House on the final bill. Regardless of how other Members may vote on the different amendments, I do not believe that any of them should be used by anyone as a reason to oppose the final passage of this bill, which I think helps to open a very strong and good chapter in better relations between the Federal Government and D.C., and to making the District a safer, better place with better schools for people who live here and work here and visit here, to be a better Capitol for our Nation.

I commend the work of the persons who have worked together on this bill, both within this House and within the District government.

Mr. Chairman, I urge adoption of the entire bill.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the remarks of my friend and colleague, the gentleman from Oklahoma (Mr. ISTOOK). I applaud him for doing a very fine job in chairing this subcommittee and putting together an appropriations bill that is worthy of this House. In the subcommittee and in the full committee, both Democrats and Republicans agreed this is a good bill. This is the bill that we want the President to sign.

It is still a good bill as it stands, unamended. If, however, it is amended on the floor of this House by changing the language that was approved by the full committee that said that no Federal funds can be used for any needle exchange program in the District of Columbia, we will have to oppose this bill. We believe that the D.C. elected council and Mayor can determine how best to combat the drug epidemic in the District which, by many accounts, is the worst in the Nation, if that language in the bill is sustained, we would certainly want to support that.

If this body agrees that there is no need for the language put in by the gentleman from Oklahoma (Mr. LARGENT) that would supersede the judgment of the domestic courts in this city with regard to who is eligible to

adopt children, then we have a bill that is going to pass virtually unanimously.

But the problem, Mr. Chairman, is that there are two amendments here that, if they are approved by this House, are so egregious in terms of trampling the rights of the District of Columbia citizens, its elected representatives, and its court system that the White House has said it will veto this bill. Then we are right back at the starting point. All this excellent effort by the gentleman from Oklahoma (Mr. ISTOOK) and his colleagues on the Republican side and all the bipartisan support on the Democratic side will have been for naught.

That reason alone should be sufficient to vote down these amendments and vote up the appropriations bill before us, because these amendments do not belong in an appropriations bill. That is why we had the argument on the rule. We had to have a rule that waived the rules of this House, saying that despite the fact that they would be ruled out of order, we are going to rule them in order, allowing them to be added to the bill.

Had we stuck with an open rule, we would not have had to deal with this. We would have had a pure bill, a pure appropriations bill. We would have bipartisan support for it and it would pass overwhelmingly in this House.

That is why, Mr. Chairman, I would urge my colleagues to reject these two amendments; to support the bill, if they are rejected, and to give the White House a bill that it can sign right away and at least take this issue off the table.

Mr. Chairman, I want to thank the members of the Committee on Appropriations staff, I want to thank my assistant on the D.C. appropriations bill, Tim Aiken, who was ably assisted by Anstice Brand. I want to thank Tom Forhan particularly as the lead minority staff person for D.C. appropriations.

I want to thank the gentlewoman from the District of Columbia (Ms. NORTON), who has been here throughout the entire bill, who has done an excellent job of representing her constituents. That is really what this is all about. We really would like to defer to her constituents, who have the right to elect their own representatives, and would seem to have the right to spend their own money.

We talk a lot about Federalism, we talk a lot about devolvement to States and localities. This is a good opportunity to show that our money is where our mouth is; that we believe in our rhetoric, we believe in the principle of self-representation, we believe that this Congress should not be overriding the normal rules of the House, imposing restrictions on the use of local and private funds within the District, imposing restrictions upon the prerogatives of the domestic courts in the District of Columbia.

That principle will be sustained if we defeat the two amendments and enable all the Members of this House to support the D.C. appropriations bill, and enable the White House to sign it.

Mr. Chairman, as I say, I urge a no vote on the amendments. If they are defeated, then we could urge a yes vote on the underlying bill.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. ISTOOK. Mr. Chairman, I appreciate the comments of the ranking member.

One thing I think we need to make sure is mentioned is the D.C. tuition aid grant program, $17 million that we fund in this bill to enable young people in the District to achieve a college education. A vote against the bill, of course, would be a vote against that, as well as the other things, such as the drug treatment programs.

Mr. Chairman, I would submit, frankly, that when we have a bill that is funding $25 million for drug testing and treatment, and a bill that is funding $8.5 million to encourage adoption, it is not unreasonable to expect that we do not want mixed messages by saying, well, let us have a needle exchange program that could interfere with that, or let us not make sure that adopting parents are related by blood or marriage.

I doubt, Mr. Chairman, that the President would be so extreme as to veto this excellent bill because he did not like a couple of those provisions, especially seeing that he signed one into law last year.

□ 1445

Mr. MORAN of Virginia. Mr. Chairman, I ask unanimous consent to strike the requisite number or words.

The CHAIRMAN. Without objection, the gentleman from Virginia is recognized.

There was no objection.

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

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

Mr. ISTOOK. Mr. Chairman, I thought I had understood it was protocol for the chairman to have the last word. Now, if the gentleman from Virginia insists upon having the last word, certainly I will not interfere with his desire to do so.

Mr. MORAN of Virginia. Mr. Chairman, I suggest to the gentleman from Oklahoma I will speak and then yield to him to have the last word.

Mr. ISTOOK. That is fine.

Mr. MORAN of Virginia. Mr. Chairman, let me just say that, first of all, I neglected particularly to thank Mr. Americo ''Migo'' Miconi who was just superb on this bill. When I was thanking everybody, it was not sufficient to thank the members of the Committee on Appropriations staff without mentioning him particularly, specifically. He has some excellent people working with him as well, and we appreciate their fine work.

Again, not only did we not mention the $17 million for the in-State tuition program, terrific idea, the $8.5 million for adoptions, the money for charter school, the money for offender supervision, I could go on and on and on, great things, plus supporting the consensus budget.

That is why we particularly hope that these two amendments can be defeated and we can support the underlying bill.

Mr. Chairman, I yield to the gentleman from Oklahoma (Chairman ISTOOK) to conclude.

Mr. ISTOOK. Mr. Chairman, I have no further comments except my word of appreciation for the ranking member, the great people, Mr. Miconi, Mr. Albaugh, Mr. Monteiro, all the people who have worked on this bill.

The CHAIRMAN. Are there further amendments to the bill?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 260, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 1 printed in House Report 106–263 offered by the gentleman from Kansas (Mr. TIAHRT), Amendment No. 2 printed in the CONGRESSIONAL RECORD offered by the gentlewoman from the District of Columbia (Ms. NORTON), amendment No. 2 printed in House Report 106–263 offered by the gentleman from Oklahoma (Mr. LARGENT).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. TIAHRT

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 printed in House Report 106–263, offered by the gentleman from Kansas (Mr. TIAHRT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 187, not voting 6, as follows:

[Roll No. 344]

AYES—241

Aderholt	Bilirakis	Chabot
Archer	Bliley	Chambliss
Armey	Blunt	Chenoweth
Bachus	Boehner	Clement
Baker	Bono	Coble
Ballenger	Boswell	Coburn
Barcia	Brady (TX)	Collins
Barr	Bryant	Combest
Barrett (NE)	Burr	Cook
Bartlett	Burton	Costello
Barton	Buyer	Cox
Bass	Callahan	Cramer
Bateman	Calvert	Crane
Bereuter	Camp	Cubin
Biggert	Canady	Cunningham
Bilbray	Cannon	Danner

Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Forbes
Fossella
Fowler
Franks (NJ)
Gallegly
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kuykendall
LaHood
Largent
Latham
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller, Gary
Miller, George
Moore
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pascrell
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
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
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOES—187

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Cooksey
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gonzalez
Gordon
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pickett
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—6

Johnson, Sam
Jones (OH)
McDermott
Peterson (PA)
Skelton
Sununu

□ 1507

Mr. TIERNEY and Mr. STUPAK changed their vote from ''aye'' to ''no.''

Messrs. DOOLITTLE, DICKEY, VISCLOSKY, GEORGE MILLER of California, BARTLETT of Maryland, and WISE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 260, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 2 printed in the Congressional RECORD offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 214, not voting 5, as follows:

[Roll No. 345]

AYES—214

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
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
Gilchrest
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Largent
Larson
LaTourette
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Slaughter
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NOES—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cox
Crane
Cunningham
Danner
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
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde

Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Latham
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Petri
Pickering
Pickett
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
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Stump
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOT VOTING—5

Jones (OH)
McDermott
Peterson (PA)
Skelton
Sununu

☐ 1518

Messrs. PACKARD, SOUDER, and COBURN changed their vote from ''aye'' to ''no.''

Messrs. SWEENEY, GORDON, JOHN, and MCINTYRE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. LARGENT

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 2 printed in House Report 106–263 offered by the gentleman from Oklahoma (Mr. LARGENT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 215, not voting 5, as follows:

[Roll No. 346]

AYES—213

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Fletcher
Fossella
Fowler
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Kingston
Knollenberg
LaHood
Largent
Latham
Lazio
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Moore
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Packard
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Quinn
Radanovich
Ramstad
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
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wolf
Young (AK)
Young (FL)

NOES—215

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Cooksey
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Strickland
Stupak
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wilson
Wise
Woolsey
Wu
Wynn

NOT VOTING—5

Jones (OH)
McDermott
Peterson (PA)
Skelton
Sununu

☐ 1526

Mr. WISE changed his vote from ''aye'' to ''no.''

Mr. SWEENEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HEFLEY) 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, pursuant to House Resolution 260, 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 333, nays 92, not voting 9, as follows:

[Roll No. 347]

YEAS—333

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Chenoweth
Clayton
Clement
Coburn
Collins
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Granger
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McIntosh
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pease
Pelosi
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stupak
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—92

Archer
Barr
Barrett (WI)
Bartlett
Blagojevich
Brown (OH)
Burton
Buyer
Campbell
Chabot
Clyburn
Coble
Combest
Condit
Conyers
Costello
Cummings
Davis (IL)
DeFazio
Dicks
Dingell
Dixon
Doggett
Duncan
Everett
Filner
Fossella
Gephardt
Goode
Goodlatte
Goodling
Green (TX)
Hall (TX)
Hayworth
Hefley
Herger
Hill (MT)
Hinchey
Jackson (IL)
Kilpatrick
Kleczka
Kucinich
LaHood
Largent
Lee
Lewis (GA)
Lipinski
Lofgren
Lucas (OK)
Maloney (CT)
McInnis
McIntyre
McKinney
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Moran (KS)
Nadler
Obey
Olver
Pastor
Paul
Payne
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Riley
Roemer
Roukema
Royce
Rush
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Sherman
Slaughter
Stearns
Stenholm
Strickland
Stump
Tancredo
Taylor (MS)
Taylor (NC)
Thompson (MS)
Towns
Waters
Watkins

NOT VOTING—9

Ballenger
Clay
Dreier
Graham
Greenwood
Jones (OH)
McDermott
Peterson (PA)
Skelton

□ 1545

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1545

PROVIDING FOR CONSIDERATION OF H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 263 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 263

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. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes. The first reading of the bill shall be dispensed with. 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. Before consideration of any other amendment it shall be in order to consider the amendments printed in part A of the report of the Committee on Rules accompanying this resolution. Each amendment printed in part A of the report may be considered only in the order printed in the report. The amendment printed in part B of the report may be offered only at the appropriate point in the reading of the bill. Each amendment 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. All points of order against the amendments printed in the report are waived. During consideration of the bill for further 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 (Mr. HEFLEY). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), 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.

Mr. Speaker, House Resolution 263 is an open rule providing for the consideration of H.R. 2606, the foreign operations appropriations bill for fiscal year 2000. The rule provides for 1 hour of general debate, equally divided between the chairman and the ranking minority member of the Committee on Appropriations.

In addition, the rule provides the bill be open to amendment by paragraph. The rule also waives points of order against provisions in the bill for failing to comply with clause 2 of rule XXI. 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 Committee on Rules report only in the order printed in the report.

These amendments relate to limitations on the use of international population funds. Further, the rule provides the amendment printed in part B of the report may be offered only at the appropriate point in the reading of the bill. The amendment concerns child survival funding.

In addition, the rule provides for consideration of the amendments printed in the Committee on Rules report to be offered only by a Member designated in the report. The amendments 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 points of order against the amendments which were printed in the Committee on Rules report, but also grants the chairman of the Committee of the Whole authority to postpone votes and reduce voting time to 5 minutes provided that the first vote in a series is not less than 15 minutes.

In addition, the rule provides that Members who have pre-printed their amendments in the RECORD prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules. And finally the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, this bill provides a fair, a very fair, approach for the consideration of the foreign aid appropriations bill. One controversial area which always lends itself to important debate on the floor involves family planning funds and their potential use for performing or promoting abortions and the so-called Mexico City policy which prohibits U.S. assistance to foreign organizations that perform abortions, violate abortion laws, or engage in lobbying activities to change such laws.

While I personally am a strong advocate for the rights of the unborn, our committee is providing for amendments which cover both the pro-life and the pro-choice sides of the issue. I commend my colleague the gentleman from New Jersey (Mr. SMITH) who is chairman, Subcommittee on International Operations and Human Rights for his tireless work to protect the rights of the unborn. I certainly will support his amendment on this important issue.

To clarify that two amendments referred to in part A of the Committee on Rules report, one to be offered by the gentleman from New Jersey (Mr. SMITH) and the other to be offered by the gentleman from Pennsylvania (Mr. GREENWOOD) let me explain that each of these amendments has been made in order as a freestanding amendment. Although they represent different aspects of the use of population assistance funds they are not necessarily inconsistent. Should they both prevail, any inconsistencies can and will be worked out in conference.

I support the rule. I also support the underlying bill. There are many important programs which are being funded. And because there are no country earmarks, the President and the Secretary of State are afforded maximum flexibility to conduct foreign policy. I am pleased to see that this is the tenth appropriations bill to come before the House. It is within, it is even below, the committee's budget allocation. I thank and commend not only the gentleman from Florida (Mr. YOUNG) but also the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) for their hard work on this important bill, and I urge adoption of both the rule and the bill.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the time.

This is an open rule. It will allow consideration of H.R. 2606 which is a bill that makes appropriations for foreign aid and export assistance in fiscal year 2000.

As my colleague has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman, ranking minority member of the Committee on Appropriations, and all Members on both sides of the aisle will have the opportunity to offer germane amendments.

In addition, the rule waives points of order against three amendments to be offered by the gentleman from New Jersey (Mr. SMITH), the gentleman from Pennsylvania (Mr. GREENWOOD), and the gentleman from Pennsylvania (Mr. PITTS). Unfortunately, the rule does not honor the requests made by the Subcommittee on Foreign Operation's ranking minority member, the gentlewoman from California (Ms. PELOSI) who asked for regular order in the amendment process. I am also disappointed that the rule denied Ms. PELOSI the opportunity to offer an amendment. Instead that amendment was made in order only if offered by the gentleman from Pennsylvania (Mr. GREENWOOD).

I want to commend the chairman of the Subcommittee on Foreign Operations, the gentleman from Alabama (Mr. CALLAHAN), and the ranking minority member, the gentlewoman from California (Ms. PELOSI) for their work in bringing this bill to the floor. I commend them both for maintaining the spirit of bipartisanship and compromise, at least during the subcommittee process.

And I appreciate the committee urging AID to provide 1.52 million for microenterprise, 1.52 million for microenterprise which represents about a 10 percent increase over last year's level. The committee expects half of these funds to go to the poorest people. Microenterprise development is a cost-effective way to reduce poverty.

The bill provides $680 million for the child survival and disease programs fund which is more than the administration's request. This includes $110 million for the United Nations children's fund, better known as UNICEF, which is also an increase above the administration's request.

And I am pleased that the bill removes restrictions on humanitarian assistance to Cambodia including assistance for basic education activities. I was in Cambodia in April, and I witnessed the enormous poverty that is the ongoing legacy of the Pol Pot regime, and removing this restriction will help raise the low level of education that is in Cambodia and improve the lives of the people there.

And finally, I thank the committee for including language in its report stating the committee's intention to increase funding for the Peace Corps if funding becomes available. I believe that the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) crafted about the best bill that they could given the low allocation for the subcommittee.

However, I must express my deep disappointment that the House chose to provide so little funds for foreign assistance. Since 1985, inflation-adjusted spending on foreign aid has decreased more than 50 percent. Assistance now represents less than 1 percent of the total federal budget. And as the richest Nation on earth, the United States has a moral obligation to help reduce the misery among the poorest people in the world.

However, as a recent editorial in the New York Times pointed out, foreign aid is also in our best interests. The New York Times article said that assistance that helps prevent foreign political conflicts or economic calamities can reduce the need for far more costly future American involvement. The editorial went on to criticize Congressional efforts to cut foreign aid as a shortsighted national shame.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think we all should be very proud of the work the Committee on Appropriations has done this year, and a great measure, to a great degree the responsibility for the marvelous work that the committee has been doing and is doing lies at the office and in the office of the chairman, and I want to commend the chairman for his leadership.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding the time, and I rise to make just this announcement, and I would hope that we can expedite consideration of this rule and get to the bill and get the bill finished tonight.

As my colleagues know, the House is scheduled to leave Washington on next

Friday for the August recess so the Members can return to their districts and spend time with their constituents. But all the Members know that the Speaker has stated that if we have not completed our work on the appropriation bills, as scheduled, that that recess will not go forward until that work has been completed.

Now the reason that we need to expedite this rule and to finish this bill tonight is that on tomorrow it is necessary for the committee to take up the last two bills that it will take up and present to the House before the House recesses for the August recess.

So tomorrow we, the Committee on Appropriations, need all day tomorrow to deal with those last two bills. Because of this we cannot be on the floor with this bill tomorrow, and if the committee cannot report those last two bills tomorrow, there is no way to get them on to the floor next week prior to the recess taking effect.

So it is essential that we expedite and get this business done tonight if we want to go on our August recess as has been scheduled.

So, other than that, Mr. Speaker, I ask support for the rule, that we expedite that support, and I ask that we do the very best we can to expedite this bill so that we can continue the appropriation process, and, Mr. Speaker, the gentleman from Florida (Mr. DIAZ-BALART) mentioned that we passed now 10 appropriation bills. The fact is, counting the supplementals, we have passed 12 of the appropriation bills and two conference reports as well. So the Committee on Appropriations is on schedule.

□ 1600

We can keep on schedule if we expedite tonight.

I thank the gentleman for yielding me the time.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time. I thank him also for his leadership on many of the issues that are in the foreign operations bill relating to child survival and honoring the gospel of Matthew. I thank the gentleman from Ohio. I thank the gentleman from Florida (Mr. DIAZ-BALART) for his participation in bringing the rule to the floor. I have great admiration for him and for my distinguished chairman of the full committee and I reluctantly rise in opposition to the rule.

In our subcommittee, Mr. Speaker, we had tried very hard to work with our distinguished Chairman, the gentleman from Alabama (Mr. CALLAHAN) to move along the legislation, to honor the schedule that our Chairman just put forth and to not hold up the works. So we agreed to set some difficulties off to a later date. This bill is a work in progress. It is seriously underfunded.

I mention this now because I want to point out that to have the bill come in a bipartisan way to the full committee was a result of bipartisan cooperation; and cooperation, as my colleagues know, Mr. Speaker, is a two-way street. We were disappointed after that in full committee that $200 million in this already underfunded bill was taken out again. But nonetheless, in the interest of staying on schedule and moving the legislation along, I urged my colleagues to support the legislation in the hope that down the road there would be additional funding in the legislation.

This bill is nearly $1.5 billion, $1.3 million less than the administration's request and more than $700 million, less than last year's bill.

So that is why I was really quite disappointed to learn of the rule, when I, as ranking member, who had, with my fellow Democrats on the subcommittee, cooperated in bringing this bill forward and not delaying it with many of the controversies that we have had in the past. When I as ranking member went to the Committee on Rules to request a ranking member's prerogative, as I see it, to have an amendment to this bill, an amendment that would address the concerns that many of us have with the Smith amendment with the Mexico City language, but one that would be a substitute for it. I was very precise in my request, although I was not insistent that the bill be in my name, I was insistent that the amendment be in the form of a substitute. So that when we ask Members to make this very important decision, it would make a difference.

However, this rule, is something for everyone and nothing for anyone in terms of advancing the issue. I almost have to use the word cynical in describing it. I think it makes the House look silly and belittles the importance of the issue.

The rule limits debate on both amendments to 20 minutes each. This is a very important issue, as the gentleman from Florida (Mr. DIAZ-BALART) mentioned. It is an issue of importance and controversy before this body, so we have two amendments, 20 minutes each, 10 minutes on each side to debate it, eliminating the possibility of a full and serious debate on both sides.

It also allows for the consideration of the Pitts amendment. Now, I as ranking member do not get an amendment, but this allows for the Pitts amendment as the only other legislative amendment to be made in order. I am not sure what criteria the Committee on Rules uses to choose this one amendment out of all of the requests that were made for legislative amendments. My guess would be that because it once again adds additional restrictions to programs designed to help poor women and children under the guise of a population-related restriction, that somehow it takes precedence on the Republican side than the other proposed amendments.

The truth is, we should not have any of these legislative amendments in the bill. They should not be made in order. This is a repeat. We have been here before.

I have a great deal of respect for the makers of these motions. I am very pleased with the interest in this foreign operations bill.

But what I am saying to my colleagues is that if we are asked to cooperate every step of the way, in subcommittee and full committee to stay on schedule and cooperate with an underfunded bill for which the White House has issued a veto threat because of the Smith amendment and because of the low funding figure, then one would think at the very least that the ranking member would receive her due, which would be an amendment to this bill, to trump legislative language which does not belong in the appropriations bill in the first place.

So that is why I come here with a degree of sadness and disappointment that once again we have to travel down this road. When this happened before, we held up the House with rollcall votes and this or that. I am not going to do this now, because this is frankly tiresome.

What I am going to do is urge my colleagues to register their disapproval of this by voting ''no'' on the rule, for my colleagues to do just that; and again, I wish that we could have had some cooperation, but apparently, the cooperation is only supposed to come from our side and not from the Republican side on this.

So with great regret, I urge a ''no'' vote.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume to simply say that I am extremely sorry that our distinguished colleague from California (Ms. PELOSI) will not be supporting the rule.

The Committee on Rules made a very strong effort to be fair. We believe that we have been fair, that we are fair in this rule. It is an open rule. The issue of legislation, not appropriations measures, is always a difficult one. We do not like generally in the Committee on Rules to see, and we usually do not make in order, legislative proposals for debate on appropriations bills. Within this bill, within the context of the bill, within the text of the bill that came to us, there are 58 provisions that constitute legislating, many of which, almost 30, are unauthorized.

So I am sure the members of the Committee on Appropriations also recognize the difficulty of this and they have to deal with it also on a daily basis.

What I would like to stress, Mr. Speaker, is that the rule is fair, that it is an open rule, that as the gentleman from Florida (Mr. YOUNG) mentioned, we do need to be expediting this issue, moving it forward, and we believe on the Committee on Rules that we are doing so in a very fair way.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman for yielding me this time.

I also want to reiterate my opposition to the rule for the reasons that were articulated both by the gentleman from Ohio (Mr. HALL) and by the gentlewoman from California (Ms. PELOSI). I do want to point to some underlying provisions in the legislation that I support.

I want to cite several key areas where the legislation has continued U.S. support for Armenia's economic development, while helping to jump-start the peace process in Nagorno Karabagh.

In this time of fiscal restraint, I am encouraged that the fiscal year 2000 legislation at least ensures that the same percentage of aid will be made available to the Republic of Armenia as was available in fiscal year 1999. It is important for us to maintain our support for and partnership with Armenia as this country continues to make major strides towards democracy, most recently evidenced by the May 30 parliamentary elections, as well as market reforms and increasing integration with the West. U.S. assistance also serves to offset the difficulties imposed on Armenia's people as a result of blockades maintained by Azerbaijan and Turkey, as well as helping regions of the country to rebuild from the devastating 1988 earthquake.

The legislation also seeks to ensure the delivery of humanitarian assistance to Nagorno Karabagh. In the fiscal year 1998 bill, Congress took the historic step of providing, for the first time, U.S. humanitarian assistance to Nagorno Karabagh. Unfortunately, the administration has not delivered much of this assistance and the legislation today includes language reiterating the obligation of $20 million in U.S. aid to Nagorno Karabagh.

Mr. Speaker, the Foreign Operations Appropriations bill contains language addressing the need for a negotiated settlement to the Nagorno Karabagh conflict. Noting that the important position of special negotiator for Nagorno Karabagh is currently vacant, the committee 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.''

I would point out, Mr. Speaker, that one of the most positive developments of late has been the increased and direct contacts between the leaders of Armenia and Azerbaijan. The President of the two countries recently met previously in Geneva, and the surprise announcement that came out of the meeting was a tentative agreement to have Nagorno Karabagh to participate directly in the next session of face-to-face talks.

So at this critical juncture we must get a permanent special negotiator in place without delay, and I applaud the members of this subcommittee for including this provision in the bill.

Finally, Mr. Speaker, I want to address one or more amendments that may be offered under this rule by the gentleman from Indiana (Mr. BURTON) seeking, in various ways, to limit development assistance to India. I would urge my colleagues to oppose these ill-advised amendments if they come up.

Following the imposition of Glenn amendment sanctions against India last year, the USAID program has been restructured in conformance with the law to provide only humanitarian assistance to India. If this amendment were adopted, programs to limit the spread of HIV/AIDS would have to be cut as well as basic health services to mothers and children. Thus, without achieving any positive policy goals, the amendment would only serve to punish some of India's most vulnerable people who are currently benefiting from American humanitarian assistance.

Mr. Speaker, this House has consistently rejected similar Burton amendments over the past few years. Indeed, 2 years ago a similar amendment only gained the support of 82 Members of the House, while 342 voted against it; and last year, no amendment was offered. Both Houses of Congress have been moving on a bipartisan basis to lift the Glenn amendment sanctions on India and Pakistan, and an amendment like the one proposed by the gentleman from Indiana would be way out of step with the progress being made towards greater cooperation and confidence-building between the United States and India.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I know my colleagues have heard this before, but I am not going to use the full 2 minutes. Hopefully, that will be true.

Mr. Speaker, I think the statement that was made by the gentleman from New Jersey (Mr. PALLONE) is a very interesting one in that he is talking about the provisions in the bill that relate to Armenia and Azerbaijan and Nagorno Karabagh and how that area of the world has been dealt with in the bill. I think it is indicative of the leadership of the gentleman from Alabama (Mr. CALLAHAN) in resolving some of these controversial issues that come up in this bill.

We have spent hours overnight on this bill in subcommittee, full committee, and on the floor, but in the interests of managing those issues well, we worked together, made our compromises so that the House, the full House, would be spared some of that controversy.

That is why, again, I was so disappointed when the rights of the minority were not respected, and I disagree with my distinguished colleague whom I respect enormously in his characterization of the bill of the rule as a fair one, because I do not think it is. As I say, if we had been coming into this, fighting to the finish, I could understand why the majority would want to suppress the minority, but we have tried to cooperate every step of the way, and indeed I have said I would support the legislation if the Smith amendment does not pass.

In the interests of trying to support the bill with the Greenwood amendment as a substitute for the Smith amendment, that would still enable us to support the bill; but instead, not only did they wrench the right of the minority ranking member to introduce an amendment, but also put it in the form that does not solve any problem except maybe one, to help the majority pass the rule on their side.

So if they are going to have this unfair rule, they are going to have to do it largely with Republican votes. I urge my colleagues to vote ''no.''

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, first of all, let me say that with respect to the bill itself, I think the chairman has tried to do as much as he could under the circumstances he faces.

□ 1615

I honestly believe that before this bill goes to the President, it is going to need a significant amount of funding for the Wye Middle East peace agreement. I think we need to promote that in every way we can.

I will vote against the rule on this bill because the rule simply does not deal with the Mexico City issue in a fair way.

What the Committee on Rules has done is to allow a nongermane amendment to be offered by the gentleman from New Jersey (Mr. SMITH) on the Republican side of the aisle, and then it allows a second amendment as an alternative to that to be offered. But instead of being offered as a substitute, it allows it to be offered as a simultaneous amendment.

If both amendments were to be adopted, for instance, the adoption of the Greenwood amendment would have no meaning whatsoever, because under the way we read statutes around here, the most limiting language is the only language that governs. So in essence, the Committee on Rules has pretended to give the House a choice between alternatives when in fact it has given no real opportunity for the Greenwood amendment to have any meaning whatsoever.

To me, that is disingenuous, it is unfair, it is biased, and it means that people think they could not win the argument if they had a fair rule. I do not think that is the way the greatest parliamentary body in the world ought to act. Therefore, I would strongly urge a vote against this rule.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Committee on Rules has gone the extra mile. We bring forth this measure not only with a fair rule, but an open rule. Any amendment any Member wants to come up with, as long as it is germane, can be presented. So we feel really good about our work. We ask for the support of the House on both sides of the aisle for the rule.

Reiterating that, I support this rule, and urge my colleagues to vote for it.

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

The SPEAKER pro tempore (Mr. HEFLEY). Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

Ms. PELOSI. 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 256, nays 172, not voting 6, as follows:

[Roll No. 348]

YEAS—256

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Stupak
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
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NAYS—172

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—6

Dicks
Jones (OH)
Martinez
McDermott
Peterson (PA)
Skelton

☐ 1638

Mrs. TAUSCHER, Mr. HILL of Indiana, Mr. WAXMAN, and Mr. OWENS changed their vote from ''yea'' to ''nay.''

Messrs. DEAL of Georgia, KUCINICH, KLINK, CRAMER and KANJORSKI changed their 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. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs 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 (Mr. HEFLEY). Is there objection to the request of the gentleman from Alabama?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 263 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. 2606.

☐ 1640

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. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, with Mr. THORNBERRY 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 Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) each will control 30 minutes.

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

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

Mr. Chairman, I am pleased to open debate on H.R. 2606, the fiscal year 2000 appropriation bill for foreign operations, export financing, and other related programs.

This bill is within the subcommittee allocation. It contains no emergency provisions, and it includes no earmarks. This bill reflects many priorities requested by Members of both parties, but it gives the President and the Secretary of State maximum flexibility to support American interests abroad.

The bill before the House totals $12.624 billion. Like the past four foreign operations bills that I have managed, it is less than the bill that was enacted into law the previous year. In this instance, if we discount the emergency funding for Kosovo and Hurricane Mitch, as well as the International Monetary Fund, the bill is still some $200 million less than the amount enacted for 1999. If we include all of these items, this bill is $21 billion less than last year, a reduction of more than 60 percent, which Mr. Chairman, I believe is a record.

This bill is almost $2 billion less than the President's request, and I understand that he may be requesting additional funds later this year. The fact is we have to live within our budget caps agreed to by the President and the Congress in 1997. Although foreign aid represents less than one-half of 1 percent of the Federal budget, $12.6 billion is the amount we have been allocated, and this bill reflects the committee's best recommendation on how to distribute that amount.

This bill marks the second year of a 10-year program to phase out economic assistance to Israel and Egypt. The committee has rejected the administration's proposal to speed up the phaseout by 25 percent. At the same time, we are increasing military aid to Israel by a smaller amount. I would note that President Clinton and Prime Minister Barak now concur with the plan undertaken by this committee and the Congress last year.

In the recent supplemental appropriation bill, Congress appropriated $431 million in emergency funds for refugees in the vicinity of Kosovo. Congress also made a generous provision in the supplemental for the reconstruction of the areas of Honduras and Nicaragua affected by Hurricane Mitch.

While this bill provides for ongoing refugee and humanitarian aid programs worldwide, it does not include any funds for the long-term reconstruction of Kosovo and Southeastern Europe. We agree with President Clinton that Europe is responsible for that task.

The gentleman from Florida (Chairman YOUNG) and I have written the President reminding him that the refugee funds were not appropriated by Congress for long-term reconstruction efforts in Kosovo.

Having funded refugees and hurricane reconstruction in the supplemental, this bill has different priorities.

□ 1645

Significant increases above last year's level are limited to child survival and a renewed effort to reduce threats from infectious diseases and international narcotics trafficking.

Further, we are proud to be leaders in the global effort to eradicate polio. Our committee, led by the gentlewoman from California (Ms. PELOSI), has led the way to eliminate the global spread of HIV/AIDS, and this is especially important to the future of Africa.

This year, our committee recommends more attention to the threat posed by drug-resistant tuberculosis, and we recommend greater focus on the needs of orphans and displaced children. Dozens of Members have written to us about both matters. And, finally, the committee rejected the President's proposal to cut the American donation to UNICEF, the International Children's Fund.

The committee report contains a number of recommendations and direction to the agencies that implement the activities funded in this bill.

House Report 106–254 encourages continued economic cooperation with Latin America, a prime market for American exports. I will include in the RECORD a table from pages 15 and 16 of the report indicating the amount of assistance the bill provides for sub-Saharan Africa, an area of interest to many, many Members of Congress. I would also direct attention to the report language directed at the management of AID and at the Inter-American Foundation.

One closing note. This is our 10th regular appropriations bill this year. In order to complete our work on time, we need to finish this bill tonight, however long it takes. I am aware of relatively few amendments to the four spending titles of the bill. Most of the known amendments are limitations that are taken up at the end of the debate. I reserve the right to seek to limit time on such amendments. The managers appreciate Members cooperating in moving this bill to completion today.

Finally, Mr. Chairman, I include for the RECORD a detailed table showing the committee's recommendation.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000 (H.R. 2606)
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - EXPORT AND INVESTMENT ASSISTANCE					
EXPORT-IMPORT BANK OF THE UNITED STATES					
Subsidy appropriation	765,000	839,000	759,000	-6,000	-80,000
Emergency funding (by transfer)	(10,000)			(-10,000)	
(Direct loan authorization)	(1,333,000)	(1,687,000)	(1,350,000)	(+17,000)	(-337,000)
(Guaranteed loan authorization)	(12,702,000)	(13,825,000)	(10,400,000)	(-2,302,000)	(-3,425,000)
Administrative expenses	50,000	57,000	55,000	+5,000	-2,000
Y2K conversion (emergency funding)	400			-400	
Negative subsidy	-25,000	-15,000	-15,000	+10,000	
Total, Export-Import Bank of the United States	790,400	881,000	799,000	+8,600	-82,000
OVERSEAS PRIVATE INVESTMENT CORPORATION					
Noncredit account:					
Administrative expenses	32,500	35,000	35,000	+2,500	
Y2K conversion (emergency funding)	840			-840	
Insurance fees and other offsetting collections	-260,000	-303,000	-303,000	-43,000	
Direct loans:					
Loan subsidy	4,000	14,000	10,500	+6,500	-3,500
(Loan authorization)	(136,000)	(130,000)	(85,000)	(-51,000)	(-45,000)
Guaranteed loans:					
Loan subsidy	46,000	10,000	10,000	-36,000	
(Loan authorization)	(1,750,000)	(1,000,000)	(850,000)	(-900,000)	(-150,000)
Y2K conversion (emergency funding)	1,260			-1,260	
Total, Overseas Private Investment Corporation	-175,400	-244,000	-247,500	-72,100	-3,500
TRADE AND DEVELOPMENT AGENCY					
Trade and development agency	44,000	48,000	44,000		-4,000
Total, title I, Export and investment assistance	659,000	685,000	595,500	-63,500	-89,500
(Loan authorizations)	(15,921,000)	(16,642,000)	(12,685,000)	(-3,236,000)	(-3,957,000)
TITLE II - BILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
Agency for International Development					
Child survival and disease programs fund	650,000	555,000	680,000	+30,000	+125,000
Emergency funding	50,000			-50,000	
Development assistance	1,225,000	780,440	1,201,000	-24,000	+420,560
Central America and the Caribbean Emergency Disaster Recovery Fund (Emergency Funding)	621,000			-621,000	
Emergency funding (transfer out)	(-17,000)			(+17,000)	
Development Fund for Africa		512,560			-512,560
International disaster assistance	200,000	220,000	200,880	+880	-19,120
Emergency funding	188,000			-188,000	
Micro & Small Enterprise Development program account:					
Subsidy appropriation	1,500	1,500	1,500		
(Direct loan authorization)	(1,000)			(-1,000)	
(Guaranteed loan authorization)	(40,000)	(30,000)	(30,000)	(-10,000)	
Administrative expenses	500	500	500		
Urban and environmental credit program account:					
Subsidy appropriation	1,500	3,000		-1,500	-3,000
(Guaranteed loan authorization)	(14,000)	(26,000)		(-14,000)	(-26,000)
Administrative expenses	5,000	5,000	5,000		
Development credit authority program account:					
(By transfer)		(15,000)			(-15,000)
(Guaranteed loan authorization)		(200,000)			(-200,000)
Subtotal, development assistance	2,942,500	2,078,000	2,088,880	-853,620	+10,880
Payment to the Foreign Service Retirement and Disability Fund	44,552	43,837	43,837	-715	
Operating expenses of the Agency for International Development	479,950	507,739	479,950		-27,789
Emergency funding (by transfer)	(8,000)			(-8,000)	
Y2K conversion (emergency funding)	10,200			-10,200	
Operating expenses of the Agency for International Development Office of Inspector General	30,750	25,261	25,000	-5,750	-261
Emergency funding (by transfer)	(1,500)			(-1,500)	
Total, Agency for International Development	3,507,952	2,654,837	2,637,667	-870,285	-17,170
Other Bilateral Economic Assistance					
Economic support fund	2,362,000	2,539,000	2,227,000	-135,000	-312,000
Emergency funding	211,500			-211,500	
Emergency funding (transfer out)	(-3,770)			(+3,770)	
International Fund for Ireland	19,600		19,600		+19,600
Assistance for Eastern Europe and the Baltic States	430,000	393,000	393,000	-37,000	
Emergency funding	120,000			-120,000	
Assistance for the New Independent States of the former Soviet Union	801,000	1,032,000	725,000	-76,000	-307,000
Emergency funding	46,000			-46,000	
Total, Other Bilateral Economic Assistance	3,990,100	3,964,000	3,364,600	-625,500	-599,400

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000 (H.R. 2606)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
INDEPENDENT AGENCIES					
Inter-American Foundation					
Appropriation	.....	22,300	.....	.....	-22,300
(By transfer)	(20,000)	.....	(5,000)	(-15,000)	(+5,000)
Total	(20,000)	(22,300)	(5,000)	(-15,000)	(-17,300)
African Development Foundation					
Appropriation	.....	14,400	.....	.....	-14,400
(By transfer)	(11,000)	.....	(14,400)	(+3,400)	(+14,400)
Y2K conversion (emergency funding)	137	.....	.....	-137	.....
Total	(11,137)	(14,400)	(14,400)	(+3,263)	.....
Peace Corps					
Appropriation	240,000	270,000	240,000	.....	-30,000
Emergency funding (by transfer)	(1,769)	.....	.....	(-1,769)	.....
Department of State					
International narcotics control and law enforcement	261,000	295,000	285,000	+24,000	-10,000
Emergency funding	255,600	.....	.....	-255,600	.....
Migration and refugee assistance	640,000	660,000	640,000	.....	-20,000
Emergency funding	266,000	.....	.....	-266,000	.....
United States Emergency Refugee and Migration Assistance Fund	30,000	30,000	30,000	.....	.....
Emergency funding	165,000	.....	.....	-165,000	.....
Nonproliferation, anti-terrorism, demining and related programs	198,000	231,000	181,630	-16,370	-49,370
Emergency funding	20,000	.....	.....	-20,000	.....
National Commission on Terrorism	840	.....	.....	-840	.....
U.S. Commission on International Religious Freedom	3,000	.....	.....	-3,000	.....
Total, Department of State	1,839,440	1,216,000	1,136,630	-702,810	-79,370
Department of the Treasury					
Debt restructuring	33,000	120,000	33,000	.....	-87,000
Emergency funding	41,000	.....	.....	-41,000	.....
International affairs technical assistance	3,000	8,500	1,500	-1,500	-7,000
United States community adjustment and investment program	10,000	17,000	.....	-10,000	-17,000
Subtotal, Department of the Treasury	87,000	145,500	34,500	-52,500	-111,000
Total, title II, Bilateral economic assistance	9,664,629	8,287,037	7,413,397	-2,251,232	-873,640
Appropriations	(7,675,192)	(8,287,037)	(7,413,397)	(-261,795)	(-873,640)
Emergency funding	(1,994,437)	.....	.....	(-1,994,437)	.....
Rescission	(-5,000)	.....	.....	(+5,000)	.....
(By transfer)	(10,230)	(15,000)	(19,400)	(+9,170)	(+4,400)
(By transfer) (emergency appropriations)	(11,269)	.....	.....	(-11,269)	.....
(Loan authorizations)	(55,000)	(256,000)	(30,000)	(-25,000)	(-226,000)
TITLE III - MILITARY ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Military Education and Training	50,000	52,000	50,000	.....	-2,000
Foreign Military Financing Program:					
Grants	3,330,000	3,780,000	3,470,000	+140,000	-310,000
(Limitation on administrative expenses)	(29,910)	(30,000)	(30,495)	(+585)	(+495)
Direct loans:					
Subsidy appropriation	20,000	.....	.....	-20,000	.....
(Loan authorization)	(167,000)	.....	.....	(-167,000)	.....
FMF program level	(3,497,000)	(3,780,000)	(3,470,000)	(-27,000)	(-310,000)
Total, Foreign Military Financing	3,350,000	3,780,000	3,470,000	+120,000	-310,000
Emergency funding	50,000	.....	.....	-50,000	.....
Special Defense Acquisition Fund: Offsetting collections	-19,000	-6,000	-6,000	+13,000	.....
Peacekeeping operations	76,500	130,000	76,500	.....	-53,500
Total, title III, Military assistance	3,507,500	3,956,000	3,590,500	+83,000	-365,500
(Limitation on administrative expenses)	(29,910)	(30,000)	(30,495)	(+585)	(+495)
(Loan authorization)	(167,000)	.....	.....	(-167,000)	.....

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 2000 (H.R. 2606)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Financial Institutions					
World Bank Group					
Contribution to the International Bank for Reconstruction and Development:					
Global Environment Facility	192,500	143,333	50,000	-142,500	-93,333
Rescission	-25,000	.....	.....	+25,000	.....
Subtotal, Global Environment Facility	167,500	143,333	50,000	-117,500	-93,333
Contribution to the International Development Association	800,000	803,430	576,600	-223,400	-226,830
Contribution to Multilateral Investment Guarantee Agency	.....	10,000	.....	.....	-10,000
(Limitation on callable capital subscriptions)	.....	(50,000)	.....	.....	(-50,000)
Total, World Bank Group	967,500	956,763	626,600	-340,900	-330,163
Contribution to the Inter-American Development Bank:					
Paid-in capital	25,611	25,611	25,611	.....	.....
(Limitation on callable capital subscriptions)	(1,503,719)	(1,503,719)	(1,503,719)	.....	.....
Fund for special operations	21,152	.....	.....	-21,152	.....
Contribution to the Inter-American Investment Corporation	.....	25,000	.....	.....	-25,000
Contribution to the Enterprise for the Americas Multilateral Investment Fund	50,000	28,500	.....	-50,000	-28,500
Total, contribution to the Inter-American Development Bank	96,763	79,111	25,611	-71,152	-53,500
Contribution to the Asian Development Bank:					
Paid-in capital	13,222	13,728	13,728	+506	.....
(Limitation on callable capital subscriptions)	(647,858)	(672,745)	(672,745)	(+24,887)	.....
Contribution to the Asian Development Fund	210,000	177,017	100,000	-110,000	-77,017
Total, contribution to the Asian Development Bank	223,222	190,745	113,728	-109,494	-77,017
Contribution to the African Development Bank:					
Paid-in capital	.....	5,100	.....	.....	-5,100
(Limitation on callable capital subscriptions)	.....	(80,000)	.....	.....	(-80,000)
Contribution to the African Development Fund	128,000	127,000	100,000	-28,000	-27,000
Contribution to the European Bank for Reconstruction and Development:					
Paid-in capital	35,779	35,779	35,779	.....	.....
(Limitation on callable capital subscriptions)	(123,238)	(123,238)	(123,238)	.....	.....
Total, International Financial Institutions	1,451,264	1,394,498	901,718	-549,546	-492,780
(Limitation on callable capital subscript)	(2,274,815)	(2,429,702)	(2,299,702)	(+24,887)	(-130,000)
International Organizations and Programs					
Appropriation	187,000	293,000	167,000	-20,000	-126,000
(By transfer)	(2,500)	(2,500)	(2,500)	.....	.....
Total, title IV, Multilateral economic assistance	1,638,264	1,687,498	1,068,718	-569,546	-618,780
Appropriations	(1,663,264)	(1,687,498)	(1,068,718)	(-594,546)	(-618,780)
Rescission	(-25,000)	.....	.....	(+25,000)	.....
(By transfer)	(2,500)	(2,500)	(2,500)	.....	.....
(Limitation on callable capital subscript)	(2,274,815)	(2,429,702)	(2,299,702)	(+24,887)	(-130,000)
TITLE VI					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Monetary Programs					
Loans to International Monetary Fund	3,361,000	.....	.....	-3,361,000	.....
United States Quota, International Monetary Fund	14,500,000	.....	.....	-14,500,000	.....
Total, International Monetary Programs	17,861,000	.....	.....	-17,861,000	.....
Grand total	33,330,393	14,615,535	12,668,115	-20,662,278	-1,947,420
Appropriations	(31,313,456)	(14,615,535)	(12,668,115)	(-18,645,341)	(-1,947,420)
Emergency appropriations	(2,046,937)	.....	.....	(-2,046,937)	.....
Rescission	(-30,000)	.....	.....	(+30,000)	.....
(By transfer)	(12,730)	(17,500)	(21,900)	(+9,170)	(+4,400)
(By transfer) (emergency appropriations)	(21,269)	.....	.....	(-21,269)	.....
(Limitation on administrative expenses)	(29,910)	(30,000)	(30,495)	(+585)	(+495)
(Limitation on callable capital subscript)	(2,274,815)	(2,429,702)	(2,299,702)	(+24,887)	(-130,000)
(Loan authorizations)	(16,143,000)	(16,898,000)	(12,715,000)	(-3,428,000)	(-4,183,000)
CONGRESSIONAL BUDGET RECAP					
Total mandatory and discretionary	31,246,456	14,615,535	12,668,115	-18,578,341	-1,947,420
Mandatory	44,552	43,837	43,837	-715	.....
Discretionary	31,201,904	14,571,698	12,624,278	-18,577,626	-1,947,420

ASSISTANCE FOR SUB-SAHARAN AFRICA

Development Assistance	$460,000,000
Child Survival and Disease Prevention	275,000,000
African Development Foundation	14,400,000
International Disaster Assistance	90,000,000
Peace Corps	54,500,000
Refugee and Migration programs	135,000,000
Debt forgiveness for Africa [1]	160,000,000
UNICEF [2]	54,000,000
African Development Fund	100,000,000
International Development Association [3]	283,000,000
Total	1,625,900,000

[1] $160,000,000 is the total amount of U.S. debt forgiven. The appropriation contained in this bill to cover the costs of debt forgiveness is $18,000,000.

[2] UNICEF dedicated approximately 49 percent of its resources to sub-Saharan Africa in 1999. UNICEF expects this percentage to continue.

[3] The IDA–12 replenishment targeted 50 percent of all IDA credits to sub-Saharan Africa countries.

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

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume, and I wish to begin my remarks on the fiscal year 2000 foreign operations bill as I always do by complimenting the gentleman from Alabama (Mr. CALLAHAN) for the manner in which he has developed this bill.

Given the constraints of a low 302(b) allocation and the contentious policy issues that normally weigh this bill down, he has done an excellent job of balancing funding and policy considerations. Both the subcommittee and the full committee markups went as smoothly as could be expected for this bill, and that is a testament to his fairness and his bipartisanship.

It is also a tribute to the bipartisanship on the Democratic side of the aisle, I might add, and I commend my fellow Members on the Democratic side. It is a pleasure to work with the gentleman from Alabama (Mr. CALLAHAN) and his Republican colleagues on this bill.

Having said that, I also want to make it clear that the total level of spending in the bill of $12.625 billion is not adequate to meet our national security requirements and will, I believe, seriously impair the President's ability to carry out an effective foreign policy. That is why the administration has put out a veto threat on the bill, that is one of the reasons, the underfunding.

I have indicated my support for the bill on the basis that the chairman has been judicious in his distribution of the resources available to him. It will be necessary at a later time to provide additional resources for this bill to enable the United States to meet new challenges and maintain our leadership around the world. If that does not happen, I would have to urge my colleagues to vote ''no'' at some later date in order to sustain a presidential veto.

And another issue of contention is the Smith amendment. If the Smith amendment passes, and the Mexico City language is included in this legislation, I would then oppose the bill and urge my colleagues to do so also.

The bill now contains only $100 million of the $1.4 billion requested to support the Wye River Accords. I would expect these funds to be included at a later stage in the process also when needed to implement the accords. There is also a need to address additional resources for other needs, such as support for the peace implementation efforts in and around Kosovo, and for meeting U.S. commitments on debt restructuring to poor countries.

This is a very high priority for many of us in the Congress. The bill is, therefore, in my view, a work in progress. If additional resources are not forthcoming at a later time, I will be urging those who support this bill at this time to oppose it.

The total recommendation of $12.625 billion is almost $2 billion below the President's request and is $715 million below last year's spending level for foreign assistance. The programs in the bill that are most severely underfunded include the Independent States of the Former Soviet Union; the International Development Association, IDA, which does so much to assist the poorest of the poor in Africa and other places in the world; AID's operating expenses; Debt Restructuring; the Global Environmental facility; and the Nonproliferation, Anti-terrorism, and Demining account.

On the positive side, the bill includes $680 million for the Child Survival and Diseases Program fund, known by us affectionately within the committee as the Callahan Account, which will enable the expenditure of $145 million to combat HIV/AIDS, as well as fund increased efforts against tuberculosis and other childhood diseases, such as measles and malaria. Of course, we would like to be doing more, and that is why we want the funding levels up.

In addition, the bill includes $30 million for displaced children, orphans and blind children, which is an increase over last year, and I thank the chairman for that.

The bill also includes funding for vitamin deficiency programs, polio eradication, and basic education. Poll after poll, Mr. Chairman, shows that the American people support well-directed humanitarian aid programs that assist poor children and the poor countries with basic human needs.

While the bill does not contain a separate account for African development assistance, and I wish that it would, it does maintain last year's funding level for Africa. Maintaining last year's level is not a victory, but at least it did not get cut, as other programs have; and I would hope that as we go forward with the bill we will have an increase for Africa. The total, of all accounts, the bill provides $1.6 billion in assistance to Africa.

With respect to the Independent States of the Former Soviet Union, the bill contains $725 million. This is far too low, well below last year's level, and $307 million below the President's request. This means serious cuts in the Expanded Threat Reduction Initiative and cuts to emerging republics, such as Armenia and Georgia, and reductions in programs that support small businesses, exchanges, and regional initiatives, which are also designed to develop a new generation of pro-reform leaders and institutional partnerships.

Mr. Chairman, the cut to AID's operating expenses will scale back necessary security improvements. The cuts in the nonproliferation account will limit new initiatives for anti-terrorism, export controls, and demining.

I mention all these, Mr. Chairman, so that our colleagues will know what the impact is of the underfunding of this bill.

It provides only $50 million of the $143 million for the Global Environmental Facility. In addition, the cuts in the Development Assistance account will mean cuts to bilateral and environmental programs.

The bill includes only $33 million of the $120 million requested for debt restructuring, and prohibits funding for the trust fund for the Highly Indebted Poor Countries, HIPC. This request was made before the recent historic agreement among the G–7 in Cologne, Germany, which has broad support from governments, multilateral institutions, and religious groups. Granting generous debt restructuring to the world's poorest countries, as called for in these new agreements, will be the most significant poverty alleviation action we can take in a generation. The amounts currently in the bill do not even put us on the playing field.

I would hope that we could get it to a level where we could honor the Jubilee 2000 initiative goal of debt forgiveness in the months ahead.

Mr. Chairman, I have been pointing out some of the deficiencies and some of the pluses in the bill. In the interest of time, I will submit the rest of my statement for the RECORD and just close by saying that this House takes pride in providing ample resources to the defense bill to protect our national security. The importance of an engaged foreign policy with the resources to back it up also protects our national security.

In that interest, Mr. Chairman, I did want to just take a moment to acknowledge the tragedy of the plane that went down in Colombia and ask for just a moment of recognition for those brave young men who lost their lives. I respect their dedication to a dangerous task and would ask the House to take a moment to acknowledge their ultimate sacrifice.

Mr. Chairman, President Kennedy said in his inaugural address in 1961, and everybody in America knows this quote, President Kennedy said, ''My fellow Americans, ask not what our country can do for you, but what you can do for your country.'' But everybody does not know that the very next sentence, the very next sentence the President said, and I was there to hear him when I was a college student in Washington, D.C., the very next sentence is, ''My fellow citizens of the world, ask not what America will do for you, but what we can do working together for the freedom of man.''

Mr. Chairman, that is what we do in this bill and, hopefully, what we do in this Congress is to reach out to help promote the freedom of man throughout the world. This embodies what the bill is about or should be about.

My colleagues, we have an obligation to move forward together to provide for a robust foreign assistance program that enhances our national security. This bill is a start and it should be supported, of course, unless the Smith amendment succeeds. However, we have a long way to go before the end of the year to finish the job.

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

Mr. CALLAHAN. Mr. Chairman, I yield myself 1 minute to respond to the gentlewoman from California regarding her opening comments, and I would just say to her that I thank her very much for her very gracious comments. If I did not know better, Mr. Chairman, I would swear she was from Alabama, she is so gracious.

The gentlewoman pointed out many of the good aspects of the bill. She noted a couple of things she did not agree with, but primarily they revolve around the fact that we cut President's Clinton's request by $2 billion. I would remind the gentlewoman from California that we have to live within budget constraints, and that President Clinton wants to bust the budget. He can send such a message up here when we finish the appropriations process, but we are trying to save Social Security, we are trying to make sure Medicare is adequately funded, and we are trying to maintain a balanced budget at the same time. And I think to come from the original $10.4 billion to the $12.6 billion, where we are today, is right in the middle of compromise, which is what this body is all about.

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

Mr. CALLAHAN. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I appreciate the gentleman yielding to me.

I am not from Alabama, Mr. Chairman, but if I were, I know my colleague's fellow Alabamans would love to hear me say that we are not spending enough money on foreign policy, and we certainly want to prevent another Kosovo and prevent spending billions of dollars, and we want to save lives instead of spending money on defense.

This is about our national security. And, also, we do not need a tax cut.

Mr. CALLAHAN. Mr. Chairman, I yield 3¼ minutes to the gentleman from Illinois (Mr. PORTER), who is a member of the subcommittee.

Mr. PORTER. Mr. Chairman, I want to thank the gentleman from Alabama for yielding me this time and for his excellent work in developing this bill. He and his staff have worked very hard to meet the numerous concerns of many Members, including this Member.

I believe, Mr. Chairman, that this is the first time in my 19-year tenure in Congress where I have not sought to amend the foreign operations bill at any point in the process. Since the gentleman from Alabama took over the helm of the Subcommittee on Foreign Operations, Export Financing and Related Programs, he and his staff have shown great patience in addressing my concerns, and I truly appreciate this.

I am pleased with the language of this bill and report supporting the furtherance of the peace process among Armenia, Nagorno-Karabagh and Azerbaijan. I remain, however, deeply disappointed in the administration's role in furthering this peace process.

I also support the committee's recommendation of $15 million for Cyprus and the condemnation of the remarks made by the leader of the Turkish Cypriots.

I am also very pleased with the committee's continued assistance on limiting Guatemala and Indonesia to expanded IMET as well as the committee's attention and support of environmental and women's issues within the development assistance account.

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Finally, and I will expand on each of these areas in the remarks I submit for the RECORD, I strongly support the committee's funding for aid to Israel. We are at a critical and, hopefully, promising point in the Middle East peace process. I am hopeful that we will ultimately be able to fund the Wye agreement and support Prime Minister Barak as he actively works toward implementing this agreement and making new agreements in the peace process.

However, while I support these items and others in the bill, I remain concerned about the overall funding level. The United States continues to enjoy the strongest economy ever, and yet the money we spend on foreign assistance continues to shrink. We are the strongest, most economically productive Nation on Earth; and yet we are shunning leadership in promoting and supporting the values we cherish most: democracy, human rights, and the rule of law and free markets in other parts of the world.

Continuing to reduce our support for foreign assistance activities, in my judgment, not only wastes previous U.S. investment but effectively pulls the rug out from under nongovernmental organizations that have worked for years to build trust and to promote important programs in the developing world that have saved lives and improved countless lives.

If we want to encourage others to respect human rights, protect their environment, and promote democracy, we must be engaged. Among bilateral donor countries, the U.S. provides among the least in foreign assistance in comparison to gross domestic product. This, in my judgment, is deplorable and only shows ignorance towards the increasing impact that the rest of the world has on health and productivity in the United States.

I hope that that trend can be reversed as we plan our leadership role in the world for the next century.

Again, on the whole, I support this bill and the excellent work of my colleague from Alabama (Mr. CALLAHAN). He was presented with a very difficult task and has succeeded in rising to the challenge.

Mr. Chairman, I want to thank the gentleman from Alabama for his excellent work in developing this bill. He and his staff have worked very hard to meet the numerous concerns of many Members, including this Member.

I think that this is the first time, in my nineteen-year tenure in Congress, where I have not sought to amend the Foreign Operations bill at any point in the process. Since the Gentleman from Alabama took over the helm of the Foreign Operations Subcommittee, he and his staff have shown great patience in addressing my concerns and I truly appreciate this.

In particular, I am pleased with language in this Bill and Report supporting the furtherance of the peace process among Armenia, Nagorno-Karabagh and Azerbaijan. Although it appeared that forward movement of process was at a standstill earlier in the year, limited talks have resumed among the parties and I hold out hope for a peace agreement.

I remain extremely disappointed in the Administration's role in furthering this peace process. As indicated in the Committee's Report, I am appalled that the State Department would transfer their Special Negotiator to another desk without announcing a replacement. As Presidents Kocharian and Aliyev hopefully continue discussions, I hope that the U.S. will do everything possible to facilitate a lasting peace.

I also support the Committee's recommendation of fifteen million dollars for Cyprus and condemnation of the remarks made by leader of the Turkish Cypriots. This is another serious conflict that Turkey must recognize and the U.S. should work to facilitate peace on this island.

I am also very pleased with the Committee's continued insistence on limiting Guatemala and Indonesia to expanded-IMET as well as the Committee's attention and support of environmental and women's issues within the development assistance account.

Finally, I strongly support the Committee's funding for aid to Israel. We are at a critical and hopefully promising point in the Middle East peace process. It is imperative that the U.S. continue to support the peace process and remain solid in its support of the parties. I am hopeful that we will ultimately be able to fund the Wye Agreement and support Prime Minister Barak as he actively works towards implementing this agreement.

However, while I support these and other items in this bill, I remain very concerned about the overall funding level. The United States continues to enjoy the strongest economy ever, yet the money we spend on foreign assistance continues to shrink.

Throughout the history of our country, we have waged wars and defended other nations to protect the values we cherish: democracy, human rights, the rule of law and free markets. Now, we have arrived at the point of being the strongest, most economically productive nation on Earth—and we are shunning

leadership in promoting and supporting our values in other parts of the world.

Some may argue that the U.S. has already invested enough in the developing world, especially now, after the conflict in Kosovo. That is just the point. We have already invested a great deal which should not be squandered at this critical time.

The extensive network of international and community-based non-governmental organizations that utilize funds from the U.S. Agency for International Development have finally established roots and are making great progress in improving the lives of millions.

Continuing to reduce our support for these activities will not only waste previous U.S. investment but effectively pull the rug out from under organizations that have worked for years to build trust and promote important programs in the developing world. If we want to encourage others to respect human rights, protect their environment and promote democracy, we must be engaged.

Among bilateral donor countries, the U.S. provides among the least in foreign assistance in comparison to GDP. This is deplorable and only show ignorance towards the increasing impact that the rest of the world has on the health and productivity of the United States. I hope that this trend can be reversed as we plan our leadership role in the world for the next century.

Again, on the whole, I support this bill and the excellent work for my colleague from Alabama. He was presented with a very difficult task and has succeeded in rising to the challenge.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 3 minutes to the very distinguished gentlewoman from New York (Mrs. LOWEY), the leader on the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mrs. LOWEY. Mr. Chairman, I rise in support of H.R. 2606.

I want to commend both our chairman, the gentleman from Alabama (Mr. CALLAHAN), and our ranking member, the gentlewoman from California (Ms. PELOSI), for the hard work they have put into crafting this bill. I believe they have done the best they could with a very bad situation.

Very simply, the allocation handed down to our subcommittee by the leadership was just too low. In fact, when we started this process, our allocation was only $10.3 billion, about $3.4 billion lower than last year's enacted level.

The members of our committee, Republican and Democrat alike, made very clear that a foreign aid bill with that low an allocation was just not sufficient. And today we are working with a number that is a full 20 percent higher than the original allocation. In fact, it is $100 million higher than the foreign aid bill that passed the House last year. But by no means does that make this a great bill. It is still woefully underfunded.

I just want to highlight a few of the bill's biggest problems that I hope we can address in conference. During full committee markup of this bill, the leadership pushed through a $200 million cut in IDA, the arm of the World Bank that provides loans to the poorest of the poor around the world.

IDA, which is now funded at $226 million below the administration's requested level, provides the World Bank's lending on primary health care, basic education, and microcredit, and a number of other critical development programs.

The International Organizations and Programs account, which includes funding for the United Nations Development Program, is $25 million below the administration's request. At this level, UNDP could not hope to be funded at anywhere near the $100 million it received last year.

Underfunding UNDP threatens U.S. leadership in this critical organization and hurts UNDP's efforts to address some of the world's development issues around the world.

This bill does not include the Wye River Agreement aid package. This aid package is a critical component of advancing the Middle East peace process and preventing violence in the region.

We all have such high hopes for Prime Minister Barak's ability to jump-start the peace process that it would be foolish of us to turn our backs on the commitments we made at Wye.

I think it is very clear that the bill does need some serious work. But it is important, my colleagues, to pass it today, send it to conference; and there we can fix what we believe is wrong.

I fully expect that we shall increase the level of funding for the full range of our important foreign assistance programs, and I will fight hard with my colleagues for the Wye aid package and ensure that there are no killer restrictions on our international family planning programs.

If these problems are not fixed before the final version of the bill is sent to the White House, the President will veto it; and we are very concerned that all the good things in this bill will not become a reality.

So, my colleagues, for now the right thing to do is to vote for this bill, move the process along, and let us hope that we can correct these inequities which I have mentioned in the conference and pass a really good bill.

Again, I thank the chairman and the ranking member for their work.

Mr. CALLAHAN. Mr. Chairman, I thank the gracious gentlewoman from New York (Mrs. LOWEY) for her comments.

Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. KNOLLENBERG) who is an outstanding member of our subcommittee.

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

Mr. Chairman, I rise in strong support of H.R. 2606, the fiscal year 2000 appropriations bill for foreign operations, export financing, and related agencies.

As a member of this subcommittee, I want to commend my good friend from Alabama (Chairman CALLAHAN) for all of his hard work. Shepherding this kind of a bill, an appropriations bill at that, through this process is not easy. Yet this man has done it, I think, with diligence and impartiality. That speaks highly of the gentleman from Alabama (Chairman CALLAHAN).

I also want to extend congratulatory thanks to the gentlewoman from California (Ms. PELOSI), the ranking member, who, along with the entire subcommittee and the staff, has helped to bring about a bill that has been crafted, I think, to do the best for this country.

As members of this subcommittee, we have all worked in a bipartisan fashion to craft this foreign operations bill that reflects our Nation's international priorities while adhering to the budget constraints that we face today.

In addition to addressing the need in such areas as child survival and international narcotic control, this bill focuses funding on our most important foreign aid priorities and maintains the integrity of our vital national security needs.

This bill again highlights congressional concern over North Korea and the dangerous activities of this rogue nation. Despite the 1994 Agreed Framework and North Korea's commitment to end its nuclear program, Pyongyang remains determined to develop weapons of mass destruction and the delivery systems that threaten ourselves and our allies.

In fact, even the administration acknowledges that next month North Korea is planning to test a missile capable of reaching U.S. territory. If this test proves successful, it will be the first time in our history that a rogue nation will have the capability to deliver a warhead within U.S. borders.

The risk to the United States inherent in this capability is unacceptable, and this bill takes strong action to address it.

The 1994 Agreed Framework with North Korea, I believe, has failed, leaving Americans less secure today than they were 5 years ago. We are now forced to face the dangerous consequences of North Korea's broken commitments. Before another dime of U.S. taxpayer money is spent on this flawed agreement, North Korea must live up to its end of the bargain.

The U.S. must send a strong signal by conditioning any aid to North Korea on real and verifiable proof that it has ended its dangerous ballistic missile and nuclear programs.

The bill also maintains the U.S. commitment to the Middle East peace process, as has been noted, and our long-standing ally, Israel. It provides resources for the resettlement of former Soviet, East European and other refugees in Israel. This refugee resettlement program provides initial food, clothing, and shelter to Jewish migrants fleeing from areas of distress.

I am proud of the role that Congress has taken to provide those in need with the means to begin a new life in Israel.

In addition, while U.S. support for peace in the Middle East is reaffirmed, the bill contains a historic effort to eliminate the region's long-standing reliance on U.S. economic aid.

I would also like to highlight provisions of this bill that deal with the ongoing conflict in the Caucasus. Unfortunately, many Americans do not know the history of this small, troubled region of the former Soviet Union; but this conflict will continue to have a direct impact on the interest of both its neighboring countries and the United States.

I am proud to have worked with the subcommittee to craft a productive, positive approach that will facilitate the peace process in the Caucasus and reinforce the U.S. role as an unbiased mediator in the peace process.

Despite the lack of broad recognition, each of us has a vested interest in the outcome of the Caucasus. U.S. interest can best be served through swift and meaningful resolution to the conflicts plaguing this troubled region. And that is precisely the approach that this bill takes.

By pursuing meaningful, confidence-building measures between Armenia, Azerbaijan, and Nagorno Karabagh and also keeping the administration fully engaged in this part of the world, we may finally see this region free of bloodshed and conflict and rich with prosperity and opportunity.

The subject of foreign aid often sparks heated debate on this floor. While we all have strong opinions about a number of programs, I would ask my colleagues not to let heated discussions about details keep us from the business at hand. We need to unite behind this fair bill that will maintain U.S. leadership and strengthen our influence across the globe.

I ask for Members on both sides of the aisle to support this bill.

Again, I want to thank the chairman, the staff, the ranking member for all of the effort they have made in an extraordinary fashion.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 3 minutes to the very distinguished gentlewoman from Michigan (Ms. KILPATRICK), a member of the subcommittee.

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

Ms. KILPATRICK. Mr. Chairman, I want to first start off thanking the gentleman from Alabama (Chairman CALLAHAN) and his staff for working with us in a bipartisan way. And a special thanks to my ranking member, the gentlewoman from California (Ms. PELOSI), who has certainly shown her leadership and allowed me to participate in the process adequately.

This bill before us today, this foreign operations bill, I am told sometimes takes a day and a half and hours to complete. As my first year on this subcommittee, I found that working with the chairman and ranking member and working with the two sides to be quite enjoyable as well as educational.

While I support the bill and have in committee, I always said that it was underfunded. And we said that from our side of the aisle. I say to the gentleman from Alabama (Mr. CALLAHAN), although we respect his hard work, we believe it is underfunded.

The gentleman from Illinois (Chairman PORTER) in his earlier remarks stated that this country still provides less foreign aid around the world than any of the other developed GA countries in the world. We can do better.

But I want to commend our chairman and ranking member for increasing our appropriations to Africa for the first time, a continent with over 750 million people who are in dire need.

Some of the poorest of the poorest countries, as said by Mr. Wolfensohn earlier this week as we had breakfast with him, President of the World Bank, debt relief, yes, they need it. But it is not a panacea. What they need is education and health services and other kinds of attention paid to their country so that their people and their children can come up into the 21st century.

It is important that as we move this foreign operations bill forward we let everyone know that, yes, it is a good bill and it was worked on bipartisanly, but it does still need more funding.

We are very concerned about the $200 million that was cut from full appropriations from the IDA account, which again is money that goes to the poorest of the poorest nations so that those children and those nations can be educated, can have the health services that they need.

We are concerned about the Smith amendment that will be coming up this afternoon. It is unfair. We hope that it will not be attached to this wonderful bill that we have worked out to date.

HIV–AIDS, a curse as we move to the 21 century, devastating the African continent today, India tomorrow, the U.S., and countries around this world. Will we do our part as American citizens, the finest country in the world, to provide the assistance, the education, the treatment, the research that we know to get rid of this dreaded disease?

Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for his leadership and the gentlewoman from California (Ms. PELOSI), the ranking member, for her concern and her leadership as we work in a bipartisan way.

This Congress can work on good legislation bipartisanly when we work together and commit to doing that. Thanks to the staffs. Thanks to our ranking member.

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

Mr. Chairman, I thank the gracious gentlewoman from Michigan (Ms. KILPATRICK) for her comments and I tell my colleagues that it has been a pleasure working with a Member of Congress who has grasped this complicated system of legislation that we have here in the United States Congress in a very short period of time, never forsaking her principles, but at the same time understanding and working toward bipartisan agreement on every issue that she can.

Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. GILMAN) the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

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

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

Mr. Chairman, I rise to commend the efforts of the gentleman from Alabama (Mr. CALLAHAN) the distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs for especially operations, and his staff and the members of the Subcommittee on Foreign Operations for their efforts in drawing attention to the critical economic situation affecting our friends in the Balkans.

Most of us are proud of the cooperation and joint efforts we have made to provide funding and support for the regional programs that aid those most in need. The economic challenges facing that region have only been exacerbated by recent events in Kosovo.

□ 1715

As the NATO forces continue their efforts to stabilize the peace in Kosovo, it is also imperative to look beyond the end of the conflict. We need to work to find programs that will help restore the economic foundation of these nations and, more importantly, to help restore the economic foundation that will enable the refugees to rebuild their lives.

Permit me to draw my colleagues' attention to a particular effort that has demonstrated great potential to help restore the economic foundation to these front-line Balkan states.

The Rochester Institute of Technology started a program 2 years ago called the American College of Management and Technology. Located in Dubrovnik, Croatia, this college has enjoyed great success in introducing new training and educational opportunities for the residents of the front-line states in tourism and management.

The program has been at capacity since it began. It focuses on a cooperative work experience that places students with world renowned organizations. This cooperative experience objective is to facilitate the infusion into the workforce of people who are educated in American economic values and work ethic, and through them speed the shift to contemporary entrepreneurial practices and, in turn, enhance the economic growth of the region.

Building upon the successes in their program, the ACMT has plans to expand the program to provide support to young refugees from Albania, Kosovo, Montenegro and Macedonia, thereby giving them a brighter future and the

ability to help rebuild their homeland states. I would like to commend the college for its efforts in establishing that program. It truly merits Federal support.

Mr. Chairman, I would like to ask the distinguished gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, to comment on this fine program.

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

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

Mr. CALLAHAN. I thank the gentleman from New York for his kind words. I would encourage USAID to review proposals to fund a Federal partnership with the college that would allow for the expansion of this program to address some of the training needs of the refugees from Kosovo, Montenegro and Macedonia.

Mr. GILMAN. I thank the gentleman for his support of this initiative. I would hope that in conference with the Senate on the fiscal year 2000 bill, we would carefully review their proposal for a $2.5 million program that would help the economic recovery of this region.

Mr. CALLAHAN. Mr. Chairman, I can assure the chairman of the Committee on International Relations that I will do the best I can to bring this proposal to the attention of AID.

Mr. GILMAN. I thank the distinguished gentleman for his assurances and support.

Mr. Chairman, I am also pleased to note in this bill that there is full funding of the administration's request for international narcotics control, and in particular the report language supporting the badly needed supply plane for the dedicated Colombian National Police antidrug unit so that they can maximize the use of the Black Hawk utility helicopters soon to be delivered to them.

I also note that the committee is critical of the intelligence service in Peru in the INL account, but it should be noted that little if any money has gone to that particular entity in their fight against drugs. It would be a mistake to overlook the fact that Peru in the last few years has reduced coca production by nearly 60 percent to end their long-held world leadership in coca production.

With regard to narcotics eradication, I note that the Senate bill has follow-on funding for the mycoherbicide drug eradication initiative that I believe holds a long-term potential to save billions of dollars and thousands of lives. I hope that in conference we will support the $10 million provided by the Senate for that program in fiscal year 2000.

Again, I want to commend the chairman and ranking member of the Subcommittee on Foreign Operations, Export Financing and Related Programs for their outstanding work on this measure.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentlewoman for yielding me this time.

I rise in a moment of passion, passion for the greatest aid that this country gives countries in need all over the world, and that is the passion I have for the United States Peace Corps.

Peace Corps volunteers serve at the invitation of host countries. Guess what? Countries want more Peace Corps. About 6,000 volunteers are currently serving in about 80 countries.

Last year, in this country, 150,000 U.S. citizens inquired about whether they could serve in the United States Peace Corps. For my friends on the other side of the aisle who are supply siders, this is very simple. The demand is there and the supply is there. What stands between that demand and that supply is the budget of the United States Congress and how much we will appropriate to the Peace Corps. Guess what? What we have appropriated is not enough.

I thank the chairman of the subcommittee. The gentleman from Alabama is a good listener. He is producing a good bill, it is a work in progress, and we are going to make it better. He has done a better job than our colleagues in the other house.

I just got out of a cab in D.C. I came from a Peace Corps good-bye to the director, Mark Gearan. The cab driver said, ''I'm in the United States because I had two teachers in Ethiopia, Peace Corps volunteers. The gift I'm going to give back is my son who is an American citizen who is going to serve in the Peace Corps.''

On behalf of returning Peace Corps volunteers who are now Members of Congress, the gentleman from Ohio (Mr. HALL), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Connecticut (Mr. SHAYS), the gentleman from New York (Mr. WALSH) and myself, we ask that you try to add more, at least what the Peace Corps asked for and what they need.

Mr. CALLAHAN. Mr. Chairman, I would first like to commend the gentleman for his comments and for his hard work, especially in Central America, and also commend Mark Gearan who is retiring as the head of the Peace Corps. I think Director Gearan has done an outstanding job.

Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Chairman, I thank the gentleman for yielding me the time. Let me echo my comments on the fine work the gentleman from Alabama has done on this bill.

Mr. Chairman, I rise today to express my support for a counterdrug initiative that would be funded through the State Department Bureau of International Law Enforcement Affairs. This initiative uses naturally occurring mycoherbicides to eradicate illicit drug crops at their source. It was supported in the Senate Foreign Operations bill. I know that the gentleman from Alabama is familiar with this program.

Mr. CALLAHAN. Yes, I am.

Mr. HILL of Montana. Mycoherbicides are safe and they do not kill other crops as do the chemicals that are currently being used in countries in Latin America. I ask that the gentleman from Alabama take into account the positive impact this initiative will have on the environment as well as our war on drugs as he considers this issue in conference.

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

Mr. HILL of Montana. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Yes, I am aware of the potential of this program to fight narcotics. As the gentleman knows, with my support Congress provided $10 million for this purpose in the emergency supplemental bill earlier this year. I am hopeful that the State Department will soon obligate those funds so that this important research can be undertaken expeditiously.

Mr. HILL of Montana. I thank the gentleman from Alabama.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. JACKSON), a distinguished member of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. JACKSON of Illinois. Mr. Chairman, I rise today to commend the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI) and other members of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations for the bipartisan, collegial spirit evident during our hearings and the subcommittee markup. As a new member of the subcommittee, I feel privileged to have worked with such a fine group of members.

We all know this is a very difficult budget year and I am grateful to the gentleman from Alabama for his even-handed approach to drafting the Foreign Operations bill. Although I would have liked to see additional funding to be provided for Africa in the bill, at the very least funding for Africa was maintained at a freeze. Many of my colleagues on both sides of the aisle will agree that for us to maintain our position as a global leader, we must continue to lead the world in assisting those countries that need the most help.

I am concerned, however, about three particular areas of this bill, the Development Fund for Africa in the Development Assistance section of the bill; the Africa Development Bank; and the Africa Development Fund. I am most disappointed that the bill does not fulfill the administration's and my request to reinstate the Development Fund for Africa as a separate line item as it was several years ago. Many nations on the

continent of Africa are making unprecedented progress toward democratic rule and open markets and with the Development Fund for Africa included as a separate account, funding would be assured to remain focused on the long-term problems and development priorities of our African partners.

Although there have been numerous concerns in the past about management of the Africa Development Bank, I know that strides have been made. I feel it is unwise to completely zero out funding for the bank at this time when they are working diligently to address the management problems.

I am encouraged that the Africa Development Fund received a level allocation from last year. However, the Africa Development Fund helps the poorest of the poor countries, and I had hoped that the committee would have provided a higher number.

I cannot stress enough how much I have enjoyed working this year on this Subcommittee on Foreign Operations, Export Financing and Related Programs and I look forward to future work with my colleagues as we address the problems and concerns of the developing world.

I want to thank the gentleman from Alabama for his outstanding job and the gentlewoman from California, and I want to encourage all of my colleagues in light of these amendments to follow the gentlewoman from California on these votes.

Mr. CALLAHAN. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. HAYES).

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

Mr. HAYES. Mr. Chairman, I rise in strong support of the bill. I thank the gentleman from Alabama and the gentlewoman from California for their diligence and their efforts on our behalf.

I have an amendment which would withhold funding for the introduction of our Armed Forces into hostile situations unless the situation represents a clear threat to our strategic national interest. This amendment reflects the foreign policy that successfully guided our Nation through the Cold War. Based on a set of six firm principles, this policy was designed by President Reagan's Secretary of Defense Caspar Weinberger. The rule today does not allow me to offer this amendment, but I will ask that it be printed in the RECORD.

Just 1 month ago, Air Force Chief of Chief General Michael Ryan explained to Congress that while the Air Force could meet our Nation's emergency needs, its short-term operations tempo had to be greatly reduced. This is one of many reports of degradation in our force's readiness that are common because of the widening gap between our Nation's global security obligations and the resources provided to meet these obligations. Every Member in this body knows that under this administration, we are increasingly asking our men and women to do more with less.

Fortunately, this Congress recognized that our forces are stretched to the limit and are on the brink of exhaustion. We recently took the much needed step of increasing our budget to address the services' long list of critical unfunded requirements. We must also review and scale down an American foreign policy which is increasingly expansive.

There is no doubt that the United States is the anchor for the world's democracies. We proudly accept this responsibility and seek to promote the American ideal of freedom in every corner of the world. Unfortunately over the past decade, fulfilling our security obligations has become confused with a policy of policing the world. It is not the responsibility of the United States and her forces, nor should it be, to extinguish every political flare-up around the globe.

This administration continues its attempts to reduce our force structure, it increases our military's operational tempo and involvement around the world. Over the past 8 years, our forces have endured a rate of deployment never before experienced in our Nation's history. Our men and women in uniform have been called to arms for ''operational events'' no less than 26 times since 1991 as compared to 10 times in the previous 30 years. The number of missions is almost countless. From Somalia to Haiti, Rwanda to Bosnia and most recently Kosovo, this administration has placed American men and women in harm's way without a defined objective. This fly-by-the-seat-of-our-pants form of diplomacy is extremely dangerous, particularly when the lives of Americans are at stake.

Secretary Weinberger wisely taught this Nation that American idealism does not always reflect our national security. While we seek to undermine political oppression and overthrow political tyranny, we cannot, in every instance, commit American force. We simply do not have the resources and, quite frankly, it is not our place. This policy is also counterproductive because it discourages our allies and others from paying their share and playing their part.

Secretary Weinberger provided us a model that would prevent seemingly reckless military deployments. I believe it should be dusted off and used again by this administration and administrations to come. The Weinberger Doctrine calls for the engagement of our forces only: In defense of our own vital interests; with a clear intention of winning; with defined objectives; with continual reassessment of the conditions and our goals; with the overwhelming support of the American people and the Congress; and as a last resort.

To many Americans this may seem elementary. In fact, most Americans believe these six premises compose the guiding principles that underscore our current foreign policy. As all of us know, this is unfortunately not the case.

Mr. Chairman, I will not offer the amendment today, but I am committed to returning the Weinberger Doctrine to American foreign policy, and I intend to offer it in the future. I encourage all of my colleagues to review this doctrine, support it, and would urge the administration to adopt it.

Mr. Chairman, I include the amendment I would have offered, as follows:

AMENDMENT TO H.R. 2606, AS REPORTED

OFFERED BY MR. HAYES OF NORTH CAROLINA

Page 116, after line 5, insert the following:

ADHERENCE TO A CONSISTENT POLICY WITH RESPECT TO THE INTRODUCTION OF UNITED STATES ARMED FORCES INTO HOSTILE SITUATIONS

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be made available for the introduction of United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances unless such introduction meets the following requirements:

(1) The introduction of Armed Forces adheres to the ''Weinberger Doctrine'', the philosophy of former Secretary of Defense Caspar Weinberger, which states—

(A) such introduction of Armed Forces should take place only if the vital national interests of the United States are in jeopardy;

(B) the commitment to introduce the Armed Forces should be framed around clearly defined political and military objectives;

(C) prior to such introduction of Armed Forces, there should exist a reasonable assurance that the President will have the support of the people of the United States and their elected representative in Congress for such introduction;

(D) such introduction of Armed Forces should be a last resort;

(E) such introduction of Armed Forces should be done wholeheartedly and in a manner by which the Armed Forces have an overwhelming superiority so that a swift victory is virtually certain; and

(F) the President should continually reassess and, if necessary, readjust the commitment to introduce the Armed Forces if conditions and objectives invariably change after such introduction; and

(2) The President, after the mission of the Armed Forces has been defined and the Armed Forces have been introduced, allows senior general officers of the Armed Forces to carry out the mission in an unhindered manner.

□ 1730

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOEFFEL), a new Member to Congress, but a great champion for our country.

Mr. HOEFFEL. Mr. Chairman, I thank the gentlewoman for yielding this time to me and appreciate her kind words.

Mr. Chairman, in this bill we should be supporting international family planning and opposing efforts to gag or block international family planning because those efforts will surely lead to more unintended pregnancies. Accordingly, I rise to oppose the Smith

amendment and to support the Greenwood-Lowey amendment.

The amendment to be offered by the gentleman from New Jersey (Mr. SMITH) would gag foreign nongovernmental organizations in the private actions they take as private organizations to spend private money to pursue their goals. The amendment to be offered by the gentleman from New Jersey (Mr. SMITH) is unnecessary, at least as it affects United States money, which is already prohibited from these uses, as Greenwood-Lowey would continue.

It is wrong to stifle public debate in this way. It is micromanagement. The real target is family planning.

The amendment to be offered by the gentleman from New Jersey (Mr. SMITH) would make it harder to conduct family planning, to avoid unintended pregnancies. It is a mistake; it should be opposed. Greenwood-Lowey should be supported.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for his important statement, and I yield 1 minute to the distinguished gentleman from Maine (Mr. BALDACCI).

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

Mr. BALDACCI. Mr. Chairman, I rise to take this opportunity to express my strong support for the Seeds of Peace International Camp, located in my congressional district and its related programs. This innovative program takes Arab and Israeli teenagers from the Middle East to a small camp in rural Maine to teach them communication teamwork, conflict resolution skills. Since it opened in 1993, more than a thousand young people have graduated, and 400 more will be completing the program this summer. I have been to this camp and met with these children, and I can unequivocally say that this camp deserves this body's full support. The cultural connections and friendships forged in Maine will last a lifetime.

Seeds of Peace is a small but growing force of hope amidst the hatred and despair that has for all too long mired relations between the nations of the Middle East. While the current peace process is critically important to achieving peace in the region, Seeds of Peace will create an environment that will sustain a lasting peace because it will mend differences in fostering understanding where it counts most, between individuals.

I am pleased that, year by year, this innovative and desperately needed program is gaining political and financial support. I strongly support public funding for the International camp and its other programs as they are clearly one of the best uses of our foreign aid dollars. I am pleased with the report language contained in this bill supporting this program.

I thank Chairman CALLAHAN and Ranking Member PELOSI for their support of this program which gives these future leaders the tools they need to forge a lasting peace in the Middle East. Thank you.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN) for the purpose of engaging in colloquy with the distinguished chairman, the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I will yield an additional 1 minute to the gentlewoman from Florida.

The CHAIRMAN. The gentlewoman from Florida is recognized for 2 minutes.

Ms. BROWN of Florida. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Alabama (Mr. CALLAHAN). I want to take a moment to raise the issue of American prisoners being held overseas.

I want to commend the chairman for including language in this report that required the Secretary of State to report on whether American citizens have not been able to receive fair trials in Ecuador as well as the evaluation of whether foreign assistance to Ecuador has an impact on the lawfulness of the Ecuador justice system.

As the gentleman is aware, Mr. Chairman, I have visited Ecuador three times in the past 2 years, and the disregard for fair or even speedy trials have become a crisis in this country. I am very disturbed that many people, especially Americans, are asked to pay bribes to ensure innocent finding. One American in particular, Mr. Jim Williams of Jacksonville Beach, has had very little chance at justice since he was imprisoned almost 3 years ago. His family have struggled to help Mr. Williams get a fair trial, but they have faced a maze of corruption in addition to unreliable policy and a justice system that does not function.

This is a very complicated problem that affects many Americans in Ecuador. However, a big part of the solution involves the United States. I hope this report will help our government understand the limitations of the Ecuador justice system as well as the far-reaching impact of our drug policy on countries like Ecuador. With limited resources and corruption in judiciary, I look forward to learning the results of this study and thank my colleague for its inclusion in this report.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. BROWN of Florida. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentlewoman from Florida for her concern about Mr. Williams' plight in Ecuador, and I certainly share her concerns. We have expressed our discontent with the administration's handling of the Williams case. I have met with the Williams family. We need a quick, fair judicial resolve, to this issue; and I certainly will support the gentlewoman in any endeavor that we can undertake to make certain that this gentleman receives a fair trial in an expeditious manner.

Ms. BROWN of Florida. Mr. Chairman, I thank the gentleman from Alabama.

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

Ms. BROWN of Florida. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I want to tell the gentlewoman that the gentleman from Alabama has been attentive to this issue. Indeed, we visited Ecuador and spoke to the authorities there, the U.S. counsel there, about this subject. So when the gentleman says he is looking into it, as my colleagues know, indeed he is.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Chairman, I would like to recognize and address the continued contributions made by the Republic of Croatia. Croatia emerged from years of oppressive Communist control in 1991 and approved a new constitution and elected a parliament. Croatia's modern parliamentary democracy is charged with guaranteeing fundamental human rights, freedom of expression and respect for private property. Croatia has also been a loyal and valuable ally of the United States, as we have recently witnessed during the Kosovo crisis. Having a reliable partner in the strategic and volatile region of southeastern Europe can only help to prevent future crises and aggression.

Croatia deserves commendation for its clear desire to stand with the United States and the West, as evidenced by its support of U.S.-NATO policy in the Balkans including S–4 and Operation Allied Force.

People, few people, realize how helpful Croatia was during NATO's Operation Allied Force. Croatia closed its oil pipelines to Yugoslavia, which was later recognized as a key element in Milosevic's decision to surrender. Croatia opened its airspace and its ports for NATO's unrestricted use. Croatia also emerged as one of the most vocal advocates for stability in southeastern Europe during the negotiations and on the newly launched stability pact for that region.

Croatia meets all the requirements for partnership for peace especially regarding defense related cooperation, perhaps even more so than some of its current members. Croatia should be evaluated for membership in the partnership for peace at the earliest possible opportunity. I believe that the United States should work closely with Croatia to ensure that every opportunity is provided.

Ms. PELOSI. Mr. Chairman, I yield 4 minutes to the very distinguished gentleman from California (Mr. BERMAN), a member of the Committee on International Relations and a champion on human rights throughout the world.

Mr. CALLAHAN. Mr. Chairman, I yield the gentleman from California an additional minute.

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. BERMAN. Mr. Chairman, I thank my friend from California for yielding me this time.

First, I would like to just say that the chairman and the ranking member and the entire Subcommittee on Foreign Operations, Export Financing and Related Programs have done an incredible job of trying to put together an equitable bill under really outrageous conditions where they have been told that they have a funding limit which constitutes a $2 billion reduction over the administration's request; a $700 million reduction over this year's appropriated level; and many, many billions of dollars in reductions over what funding levels were several years ago. So, I have no argument with the bill that they have presented, given the cards that they were dealt.

I am here to urge support for the bill and an aye vote on final passage, but I do have to say that two things could make me change my mind if the bill came back from conference committee: one, with inadequate funding levels, without some relief from the conditions under which the Committee on International Relations were required to put this bill; and, secondly, were the amendment to be offered by the gentleman from New Jersey (Mr. SMITH) to be adopted.

In either one of those cases, I would think that at conference when the bill comes back from conference we should take a second look at this question, and my hope is that the administration, working with the appropriators, will deal with some of the critical shortfalls that do exist in this bill.

And at the same time I have to say the bill fully funds the Camp David countries, Israel and Egypt; it provides a partial funding for Jordan under the Wye request. It is our understanding that the Wye request and the appropriations which I consider critically important will be dealt with at the time of the conference committees, whether they come from the 150 or the 050 account; but somewhere in the context of all of this, before this Congress leaves this year, we think it is very important that that should be funded. The increase in funding for child survival programs even in the context of the severe limitations is badly needed; the same with UNICEF.

So I think there is a lot of important provisions in this bill. There are a lot of deficiencies. The gentlewoman from California has touched on a number of them. I would like to see more money in the refugee and migration assistance account, Peace Corps is underfunded, a number of other provisions; but I will not belabor that at this point.

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

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

Mr. CALLAHAN. As my colleagues know, I think the gentleman from California is a super individual and I have expressed that to him on many occasions. But let me remind my colleague the only way we can balance the budget, the only way we can save Medicare, the only way we can save Social Security is to cut back on spending, and that also means foreign affairs, foreign aid.

So I appreciate the gentleman's philosophy.

Mr. BERMAN. Reclaiming my time, I say to the gentleman from Alabama I think he is super too, but I have to say if America is going to maintain its leadership in the world, a number of things have to happen. If we are going to continue to try and promote democracy and respect for human rights and development of human potential around the world, we have to put resources into this. I do not believe for a second that funding the foreign assistance at the level the administration has requested will in any way hurt our ability to continue to balance our budget, save Social Security, reform Medicare, and do the other things we need to do. This is small potatoes in the context of the whole budget, and let me just add one thing.

The problem is we get ourselves into a cycle. Originally, the Committee on Foreign Operations was given an incredibly low allocation of $10.4 billion. The chairman with his valiant efforts, I assume, all of a sudden that level was $12.6 billion. That is much better, but our colleagues keep lowering, dashing our expectation so much.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield for a question?

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

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman. First of all we cannot resolve this issue over whether or not an additional increase in foreign aid would jeopardize Social Security and Medicare. We just want to make certain it does not. But I will be happy to sit down one evening with the gentleman for as much as 3 or 4 hours to discuss this issue as to whether or not foreign aid ought to be increased even at the expense of jeopardizing Social Security and Medicare. I think it would make an interesting conversation, and I would invite the gentleman to sit down with me one evening in the near future for several hours to discuss this issue.

Mr. BERMAN. Reclaiming my time, I appreciate the gentleman's offer. I plan to take him up on it. We can go either way in terms of this conversation.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I would like to thank the gentlewoman from California (Ms. PELOSI) for her tremendous efforts on behalf of all the peoples of the world. She really does do a great job serving as ranking member on the Committee on Appropriations, and let me just say I have appreciation for everything that I have heard today about the bipartisan efforts, and I understand the limitations that my colleagues were working within.

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However, that does not ease my pain nor satisfies my criticism of what is not happening for Africa.

This bill completely eliminates funding for the highly indebted poor countries, the initiative that provides debt relief to countries that desperately need it. The governments of heavily indebted poor countries have been forced to make drastic cuts in basic services such as health and education in order to make payments on their debts. This administration requested $120 million. This bill allocates $33 million and zero for PIP pick.

As the ranking member of the Subcommittee on Domestic and International Monetary Policy of the House Committee on Banking and Financial Services, I am working to improve the HIPC initiative. I have introduced H.R. 2232, the Debt Relief and Development in Africa Act of 1999. This bill would relieve the debts of sub-Saharan African countries and target the savings from debt relief to HIV/AIDS treatment and prevention, health care, education and poverty reduction programs. I am also a cosponsor of H.R. 1095, the Debt Relief for Poverty Reduction Act of 1999 which would expand the HIPC initiative.

Also, the Foreign Operations Appropriations bill also cuts funding for the African Development Fund which provides low-interest loans to poor countries in Africa and completely eliminates funding for the African Development Bank, which provides market-rate loans to qualifying African countries.

Furthermore, the bill cuts refugee assistance by $266 million below this year's budget. Well, I guess if we take out the money for Kosovo, we cut it by $20 million below this year's level. There are 6 million refugees and internally displaced people in Africa today. Sadako Ogata, the United Nations High Commissioner for Refugees, is complaining.

So if I was the gentleman from California (Mr. BERMAN), I would be happy because Israel and Egypt got its funding. Africa still lags far behind, and every year I must get up and do this until Africa is treated fairly.

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for her remarks and for her leadership on the Committee on Banking and Financial Services on all of the issues relating to debt relief and AIDS.

Mr. Chairman, I yield 1 minute to the very distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I rise to applaud the gentlewoman from California (Ms. PELOSI) for her tireless work against the scourge of HIV/AIDS, a disease which has not only plagued and crippled American society but the global community as well. Nearly 33 million people worldwide are infected with HIV/AIDS. Ninety percent of them live in Africa, Asia, and Latin America. However, 90 percent of the resources spent on prevention and care are devoted to people in industrialized countries. The funding provided in this bill is just a drop in the bucket compared

to the funding needed to address this deadly crisis developing in these countries.

I am encouraged that the committee has provided $141 million for international HIV prevention and care, a $20 million increase over last year's funding level. As such, I hope that in the future, we will make an even stronger commitment to this fight.

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) has 3 minutes remaining; the gentlewoman from California (Ms. PELOSI) has 2½ minutes remaining.

Ms. PELOSI. Mr. Chairman, I yield myself the remaining time to close.

I want to thank all of the Members of the House who have spoken on this bill that we have worked so hard on. I am so pleased with the interest in the bill. Our differences are largely not partisan on this bill, and we have very few differences today, except for the funding level.

I wanted to take just a moment to talk about that because my distinguished chairman keeps bringing up the subject of Medicare and Social Security, and I want to point out to our colleagues that this bill is about, as we have heard, about $12.8 billion, $12.6.5 billion. That is about less than 1 percent of our national budget. And if we take out what we have in there for export finance and trade financing and guarantees, then it is even less than that, because that is not foreign assistance, that is assistance to the U.S. manufacturers.

So we have a very, very tiny percentage of our national budget which we use to prevent war, to prevent the spread of disease, to prevent environmental disasters. To me, it is a small price to pay. Indeed, as our Chairman has said, it is the least we can do. In fact, we should do much more.

We are the lowest of all of the industrialized countries, the lowest in relationship to our GDP in assistance, bilateral assistance to other countries. That is not what the American people want. And there is not going to be any saving of Social Security or risking of Medicare or Social Security because we spend a little bit more money preventing more disease and environmental disasters. Indeed, those are investments which will save money in the end.

Mr. Chairman, we are a great country. The world looks to us for leadership. Certainly, the developing world does. We can prevent many problems that we know are predictable. We are not making them up; we know they are preventable if we invest wisely.

Once again, I want to return to what President Kennedy said: My fellow citizens of the world, ask not what America can do for you, but what we can do working together for the freedom of men. Imagine the possibilities if we could invest in microlending and in debt forgiveness in a manner that is appropriate to our capacity and our leadership role in the world. Imagine if we could cooperate with the countries of Africa as they emerge into democracies.

Mr. Chairman, I think that this is a good investment. I think the American people want us to do it, and I point out it is less than 1 percent of our entire budget, a good investment for peace and security in the world.

I urge my colleagues to vote for the bill if it does not have the Smith amendment in it.

Mr. CALLAHAN. Mr. Chairman, I yield myself the remaining time.

I will close by saying that the basic argument that I have heard tonight is not over the contents of the bill, but for the lack of money that some think ought to be included therein.

I might say that the opponents on that argument make good points, that maybe it is not enough money. But in my opinion, it is enough money, and I do not think it is going to be detrimental to me at all to go back and explain to my constituents that I was the one who proposed a bill to cut foreign aid. I apologize to the President if he wants $2 billion more. He is not going to get it.

So yes, this vote tonight, finally, on the passage of this bill, Mr. Chairman, is a vote to cut foreign aid, if we want to cut it, well then vote ''yes.''

If one does not want to cut it and one thinks it ought to be more, then vote ''no.''

But the real question in this bill is whether or not we are going to cut the President's request, whether or not we are going to cut last year's appropriation, whether or not we are going to preserve this money to pay for Social Security needs, for Medicare needs, for other areas such as tax reduction, or even balancing the budget and paying off the debt. That is what the final passage of this bill is all about.

Mr. Chairman, I would recommend to my colleagues that they will have an easy explanation when they go back to their districts and people ask them, when SONNY CALLAHAN brought a bill to the floor of the House to cut foreign aid, how did you vote, I should think all Members of Congress would want to say, I voted for the Callahan bill.

Mr. KNOLLENBERG. Mr. Chairman, earlier this year, the National Conference of Black Mayors, and the U.S. Conference of Mayors held their annual conventions in Denver and New Orleans, respectively. At these conventions, over 100 mayors from around the country signed a petition calling on EPA to provide utility energy providers with maximum flexibility and lead time necessary to avoid higher energy costs to municipalities and local communities, including industrial and residential consumers.

Mr. Chairman, as you are aware, EPA finalized a rulemaking last year which forced states, including Michigan, to submit State Implementation Plans (SIP's) that meet mandated reductions of oxides of nitrogen (NO_X) emissions. One element of the rule would force local utilities to control NO_X emissions at unprecedented levels. The reductions are of a magnitude that will require capital intensive technology with likely significant pass-through costs to energy consumers, including citizens, municipalities, and local communities. As rural and urban communities seek investment to spur economic growth, the shadow of higher energy costs could have significant adverse effects on brownfields redevelopment and rural/urban revitalization generally. Further, these higher costs will erode the benefits of lower energy costs realized from deregulation.

Finally, Mr. Chairman, the EPA compliance deadlines are so stringent that electric utilities could be forced to shut down generating plants to install the necessary control equipment within a very short time. This could result in temporary disruptions of electricity supply.

Mr. Chairman, the U.S. Court of Appeals, just this past month, issued a stay of the EPA NO_X SIP call pending the agency's appeal of the court's decision to strike down EPA's National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM 2.5). The future of the agency's NO_X SIP call is uncertain. Nonetheless, the mayors' petition represents a common-sense plea to EPA that, should the agency move forward, that it do so in a way that allows for compliance in the most cost-effective manner possible.

I insert the petition in its entirety, along with the names and cities of supporting mayors to be inserted in the RECORD.

PETITION—EPA OZONE TRANSPORT NO_X SIP CALL

As part of its Ozone Transport initiative, the Environmental Protection Agency (EPA) has finalized a rulemaking forcing States to submit Implementation Plans (SIPs) to meet mandated reductions of oxides of nitrogen (NO_X) emissions in the Agency's effort to control inter-state ozone transport impacts. The rule focuses on 22 mid-eastern States, with the likelihood that EPA will expand the application of the rule to several additional States.

Several States have joined in litigation challenging the EPA rule on grounds that it is contrary to congressional intent, an abuse of Agency discretion and disregards traditional Federal/State relationships. EPA has even taken the unprecedented step of threatening to impose its own Federal Implementation Plan (FIP) in the absence of acceptable State action. Several additional States are considering whether to file an amicus brief in support of the Complaint. The U.S. Court of Appeals recently stayed EPA's NO_X SIP Call pending appeal of the Court's decision setting aside EPA's new Ozone and Particulate Matter standard.

One element of the rule would force local utilities to control NO_X emissions at levels unprecedented to date. The reductions are of a magnitude that will require capital intensive technology with likely significant pass-through costs to energy consumers. The unavoidable consequence will be higher energy costs to municipalities and local communities, including industrial and residential consumers alike. As rural and urban communities seek investment to spur economic growth, the shadow of higher energy costs could have significant adverse effects on Brownfields redevelopment and rural/urban revitalization generally.

The EPA compliance deadlines are so stringent that electric utilities could be forced to shut down generating plants to install the necessary control equipment within a very short time. This could result in a temporary disruption of electricity supply.

Significant NO_X emissions reductions will continue to be realized under existing mobile and stationary control programs as the

Clean Air Act continues to be implemented thus minimizing the need, if any, for such potentially disruptive requirements as called for in the EPA NO_X rule. This is especially true for local areas in the mid-east that are dealing effectively with ozone compliance challenges. Any new control programs, before being implemented, must be weighed against the potential adverse implications for local rural and urban communities.

Accordingly, by our signatures below, we collectively call on EPA to reconsider the NO_X rule in light of these concerns. In light of the Court's stay of the NO_X SIP Call, at a minimum, we urge EPA to provide maximum flexibility to and address lead-time needs of utility energy providers so as to minimize potential adverse economic consequences to local rural and urban communities. Further, we call on EPA to restore balance and cooperation between states and EPA so that States can comply with the rule while protecting their rights to determine the best methods of doing so.

Finally, we direct that copies of this Petition be provided to the President, the Vice President, Members of Congress, Governors and other local officials as are appropriate.

STATE, CITY, AND MAYOR

Alabama

Moses—Walter S. Hill

Arkansas

North Little Rock—Patrick H. Hayes
Marianna—Robert Taylor
Sunset—James Wilburn

California

Alameda—Ralph J. Appezzato
Fairfield—George Pettygrove
Fresno—Jim Patterson
Inglewood—Rosevelt F. Dorn
Modesto—Richard A. Lang
Turlock—Dr. Curt Andre
Westminster—Frank G. Fry

Florida

Eatonville—Anthony Grant
Gretna—Anthony Baker
North Lauderdale—Jack Brady
South Bay—Clarence Anthony
Tamarac—Joe Schrieber
Titusville—Larry D. Bartley

Georgia

Augusta—Bob Young
Dawson—Robert Albritten
East Point—Patsy Jo Hilliard
Savannah—Floyd Adams, Jr.
Stone Mountian—Chuck Burris

Guam

Santa Nita—Joe C. Wesky
Yigo—Robert S. Lizama

Illinois

Brooklyn—Ruby Cook
Carol Stream—Ross Ferraro
Centreville—Riley L. Owens III
DeKalb—Bessie Chronopoulos
East St. Louis—Gordon Bush
Evanston—Lorraine H. Morton
Glendale Heights—J. Ben Fajardo
Lincolnwood—Madeleine Grant
Robbins—Irene H. Brodie
Rockford—Charles E. Box
Sun River Terrace—Casey Wade, Jr.

Indiana

Carmel—Jim Brainard
Fort Wayne—Paul Helmke

Louisiana

Boyce—Julius Patrick, Jr.
Chataignier—Herman Malveaux
Cullen—Bobby R. Washington
Jeanerette—James Alexander, Sr.
Napoleonville—Darrell Jupiter, Sr.
New Orleans—Marc Morial
St. Gabriel—George L. Grace
White Castle—Maurice Brown

Maine

Lewiston—Kaileigh A. Tara

Maryland

Seat Pleasant—Eugene F. Kennedy

Massachusetts

Leominster—Dean J. Mazzarella
Taunton—Robert G. Nunes

Michigan

Detroit—Dennis Archer
Garden City—James L. Barker
Inkster—Edward Bevins
Muskegon Heights—Robert Warren
Taylor—Gregory E. Pitoniak

Minnesota

Rochester—Charles J. Canfield
Saint Paul—Nori Coleman

Mississippi

Fayette—Roger W. King
Glendora—Johnny Thomas
Laurel—Susan Boone Vincent
Marks—Dwight F. Barfield
Pace—Robert Le Flore
Shelby—Erick Holmes
Tutwiler—Robert Grayson
Winstonville—Milton Tutwiler

Missouri

Kinlock—Bernard L. Turner, Sr.

Nebraska

Omaha—Hal Daub

New Jersey

Chesilhurst—Arland Poindexter
Hope—Timothy C. McDonough
Newark—Sharpe James
Orange—Muis Herchet

New York

Hempstead—James A. Garner
Rochester—William A. Johnson, Jr.
White Plains—Joseph Delfino

North Carolina

Charlotte—Pat McCrory
Durham—Nicholas J. Tennyson
Greenevers—Alfred Dixon

North Dakota

Fargo—Bruce W. Furness

Ohio

Columbus—Greg Lashutka
Lyndhurst—Leonard M. Creary
Middleburg Heights—Gary W. Starr

Oklahoma

Muskogee—Jim Bushnell
Oklahoma City—Kirk D. Humphrey
Tatums—Cecil Jones

Oregon

Tualatin—Lou Ogden

Rhode Island

Providence—V. A. Cianci, Jr.

South Carolina

Andrews—Lovith Anderson, Sr.
Greenwood—Floyd Nicholson

Tennessee

Germantown—Sharon Goldsworthy
Knoxville—Victor Ashe

Texas

Ames—John White
Arlington—Alzie Odom
Beaumont—David Moore
Bedford—Richard D. Hurt
Euless—Mary Lib Salem
Hurst—Bill Souder
Hutchens—Mary Washington
Kendleton—Carolyn Jones
Kyle—James Adkins
North Richland Hills—Charles Scoma
Port Arthur—Oscar G. Ortiz
Waxahachee—James Beatty

Virginia

Portsmouth—Dr. James W. Holley III

Mr. SHAYS. Mr. Chairman, I want to thank Chairman CALLAHAN and Ranking Member PELOSI for their work in crafting this important appropriations bill. Given the limited resources available to them, I think they should be commended for their work in bringing this bill forward.

I will support this bill but grudgingly, because I believe the reductions it makes in foreign aid are too deep. And I believe we should be asking other parts of the federal budget to share the burden we are placing on this bill.

But instead, we are increasing spending in other areas, and asking foreign aid to pick up the slack. We are asking this budget to bend further and further, and I'm here to say: this budget can't bend any further.

Mr. Chairman, as a fiscal conservative and a senior member of the Budget Committee, my number one priority in Congress has been to get our financial house in order. In past years, I have supported reductions in our foreign aid budget because it was consistent with our overall efforts to reduce federal spending and eliminate 30 years of deficit spending. We were trying to rein in spending in every other portion of the budget, and the foreign operations bill took a hit like everything else.

But I rise today to say that we have picked on the foreign aid budget too much and for too long. I believe every area must play a part in our effort to control the growth of federal spending. But even as we increase spending on agriculture, defense, and other appropriations bills, we are once again decreasing funding for foreign aid. And, I, for one, do not understand why that is.

This year's agriculture appropriations bill increased discretionary spending from $13.69 billion to $13.94 billion. This year's defense appropriations bill increased spending from $250.5 billion to $266.1 billion. And this year's transportation appropriations bill increased spending from $47.2 to $50.7 billion. Yet, we are decreasing foreign aid spending from $13.4 billion to $12.6 billion.

As a former Peace Corps volunteer, I can attest to the difference foreign assistance makes in the lives of people around the world, and the important role it plays in enhancing international trade and helping maintain national security.

I know it is easy and most often popular to vote to cut foreign aid. But the simple fact is, this bill's $12.6 billion in foreign assistance represents just 0.7 percent of the federal budget. That is what we are debating here today.

Foreign aid is used to promote health, nutrition, agriculture, education, and other noble goals. Foreign aid is truly one of our nation's greatest international investments. It's not a handout; our aid is intended to help the poorest nations rise up and become self-sufficient, so they will no longer require our assistance.

I support this bill, but hope we end this destructive trend of reducing foreign aid budgets.

Mr. POMEROY. Mr. Chairman, I rise to thank the Chairman, Mr. CALLAHAN, for including in this legislation the report language regarding the Office of Private and Voluntary Cooperation described below.

This legislation provides $48,000,000 for the Office of Private and Voluntary Cooperation including $8,000,000 for cooperatives. This fund enables United States cooperatives and credit unions to share their self-help business approaches with developing and market transition countries. Congressman BEREUTER and I recently sent a letter to the United States

Agency for International Development (USAID) supporting this important office and its funding for US cooperatives.

In addition, the Committee notes that in Central America, US cooperatives in countries hard-hit by Hurricanes George and Mitch. The Committee encourages USAID to fully utilize the expertise of U.S. and indigenous cooperatives in this region, especially in the expansion of cash crops such as coffee and sesame.

U.S. cooperatives have been working overseas for more than three decades. They are at work in the villages of Africa, Asia, and Latin America. In Central and Eastern Europe, they are helping to achieve a free market, democratic way of life—one that cooperatives and uniquely to help other achieve.

Cooperatives have the advantage of keeping economic benefits within a community. Profit is not siphoned off by outside interests, because the co-op's members are its owners, and the co-op exists to fill a need in a community that is not being met to other businesses.

Electric and telephone co-ops meet rural consumers' needs for power and telecommunications not satisfied by private businesses. Farm co-ops help in the production and marketing of commodities. Housing co-ops give low-income people the opportunity to own their own homes. Cooperative insurance protects individuals and small businesses from risk. Credit unions serve people of limited income not reached by commercial banks, and extend credit to micro entrepreneurs who otherwise might not be able to secure funding.

Cooperatives promote democracy by allowing members to jointly own their business. They share capital, elect a board of directors, and receive the benefits of ownership through better service and patronage refunds based on use. Co-ops teach people how to resolve problems democratically. Many individuals who received their education in democracy from cooperatives have gone on to become political leaders in their nations. In emerging democracies, co-ops help throw off the shackles of a non-market economy. Their members develop the skills of entrepreneurship and learn market values.

Again, Mr. Chairman, I would like to express my appreciation to Mr. CALLAHAN for including this critical language in the legislation before us.

Mr. PORTMAN. Mr. Chairman, I rise in support of H.R. 2606, the Foreign Operations, Export Financing and Related Programs Appropriations Act for FY 2000. I'd like to thank Chairman CALLAHAN and Ranking Member PELOSI of the Foreign Operations, Export Financing and Related Programs Appropriations Subcommittee for including $13 million in funding for the Tropical Forest Conservation Act of 1998.

The Tropical Forest Conservation Act expands President Bush's Enterprise for the Americas Initiative—EAI—and provides a creative market-oriented approach to protect the world's most threatened tropical forests on a sustained basis. The bill was overwhelmingly approved by the House last March by a vote of 356 to 61, passed the Senate under unanimous consent and was signed into law on July 29, 1998 as P.L. 105–214.

The Tropical Forest Conservation Act is a cost-effective way to respond to the global crisis in tropical forests, and the groups that have the most experience preserving tropical forests—including the Nature Conservancy, World Wildlife Fund, Conservation International and others—agree. The Administration is strongly in support of this effort as well. It is an excellent example of the kind of bipartisan approach we should have on environmental issues.

I commend Chairman CALLAHAN, Ranking Member PELOSI, and the members of the Subcommittee for providing the necessary funds to begin to implement this legislation that preserves and protects important tropical forests worldwide in a fiscally responsible fashion.

Ms. LEE. Mr. Chairman, I rise to speak on the debt restructuring section of the Foreign Operations appropriations bill. This is $87 million less than the President's request, and $41 million less than the FY 1999 level. This bill does not provide the proposed $50 million U.S. contribution to the Highly Indebted Poor Countries Initiative Trust Fund.

There are 41 countries in Africa, Latin America and Asia that are so heavily indebted that they can barely function. The people there suffer from malnutrition, illiteracy, and lack of health care. Many of these debts were incurred in the 70's when we encouraged them to borrow heavily. Recession in the 70's dropped the price of oil, mineral and agricultural products; interest rose. These countries will remain in a vicious, losing cycle of perennial indebtedness just paying off interest unless we essentially allow them to file for bankruptcy and to rebuild their economies. These countries desperately need debt relief.

Jubilee, an impressive coalition of churches from around the world, together with food assistance groups, have worked to call the world's attention to the extreme situation in these heavily indebted poor countries and have asked that the U.S. recognize the crippling effect that paying interest has on these countries.

Additionally, HIV/AIDS stalks Africa. Thirty million people in the world are infected with HIV/AIDS—the vast majority live in these heavily indebted countries. While nearly every region of the world has been affected by the pandemic, Sub-Saharan Africa has been ravaged by the disease, suffering 11.5 million deaths since the epidemic emerged, with a projected 22.5 million more in the next ten years. In some countries, 30% of all working adults now have AIDS or carry the virus.

Debt relief is essential. I ask my colleagues to vote against this appropriations bill.

Mr. WELLER. Mr. Chairman, I rise today to lend my strong support for the FY 2000 Foreign Operations spending package.

Mr. Chairman, everyone in this chamber knows that funding America's overseas commitments is not one of the most popular things we do in this body. With tight federal budgets, people back home often ask whey we spend this money, and many people do not realize that this appropriations package is one of the smallest this Congress will consider out of the 13 bills. That being said, I would like to praise the work of Chairman CALLAHAN and the Foreign Operations Subcommittee for bringing to the floor a commonsense package that stretches the taxpayers money and continues the Republican Congress' commitment to slowing foreign assistance.

One of the areas I am very concerned about in this bill deals with America's strongest and most reliable ally in the Middle East, Israel. H.R. 2606 proposes $960 million in economic aid to our friend in the Middle East. Mr. Chairman this is almost $120 million less than the FY 99 level which leaves me with some concern, but nonetheless, this is important funding to help insure stability in Israel's economy, and this approach by the committee will eventually lead us down the glidepath of a phase-out of economic assistance.

H.R. 2606 also helps to provide for the security of Israel. Mr. Chairman, this bill provides for a $60 million increase over FY 99 for military assistance to a total of $1.92 billion. While I am pleased to hear that the new Israeli leadership is eager to step up efforts in the peace process, it is clear that we cannot have peace in the Middle East without a strong and secure Israel. These funds for Israel are especially important when the United States is still concerned and engaged with threats by Iraq, Libya, Syria, Iran and international terrorists in the region. Chemical and biological weapons have already been used in the region, and several enemies or terrorist groups in the region are waiting for the opportunity to disrupt the peace process or commit outright acts of aggression towards Israel. These funds will reduce that threat for our ally and for American interests in the Middle East and around the world.

Mr. Chairman, this is a responsible bill that meets our overseas commitments and ensures that America's allies are engaged as active partners in U.S. foreign policy. I thank the Chairman for his attention to the needs of our friends in Israel, and I ask that members support this measure.

Mr. Chairman, 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.

Before consideration of any other amendment, it shall be in order to consider the amendments printed in part A of House Report 106–269. Those amendments may be considered only in the order printed in the report. The amendment printed in part B of the report may be offered only at the appropriate point in the reading of the bill.

Each amendment printed in the report may be offered only by a Member designated in the report, shall be considered 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.

During consideration of the bill for further 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.

It is now in order to consider amendment No. 1 printed in part A of House Report 106–269.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 1 offered by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following:

LIMITATION ON FUNDS FOR FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION

SEC. . (a) Section 104 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b) is amended by adding at the end the following:

''(h) RESTRICTION ON ASSISTANCE TO FOREIGN ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTIONS.—

''(1) PERFORMACNE OF ABORTIONS.—(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, perform abortions in any foreign country, except where the life of the mother would be endangered if the pregnancy were carried to term or in cases of forcible rape or incest.

''(B) Subparagraph (A) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

''(2) LOBBYING ACTIVITIES.—(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available or any foreign private, non-governmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, violate the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated or prohibited.

''(B) Subparagraph (A) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

''(3) APPLICATION TO FOREIGN ORGANIZATIONS.—The prohibitions of this subsection apply to funds made available to a foreign organization either directly or as a subcontractor or subgrantee, and the certifications required by paragraphs (1) and

(2) apply to activities in which the organization engages either directly or through a subcontractor or subgrantee.''.

(b) The President may waive the provisions of section 104(h)(1) of the Foreign Assistance Act of 1961 (relating to population assistance to foreign organizations that perform abortions in foreign countries), as added by subsection (a), for any fiscal year.

The CHAIRMAN. Pursuant to House Resolution 263, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 10 minutes.

Does the gentlewoman from California seek to control the time in opposition?

Ms. PELOSI. Yes, I do, Mr. Chairman, and I ask unanimous consent to yield 5 minutes of that 10 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GREENWOOD) will control 5 minutes of the time in opposition.

The gentleman from New Jersey (Mr. SMITH) is recognized for 10 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I offer this on behalf of myself, the gentleman from Michigan (Mr. BARCIA); the gentlewoman from North Carolina (Mrs. MYRICK); the gentlewoman from Florida (Ms. ROS-LEHTINEN); the gentleman from Mississippi (Mr. SHOWS); the gentleman from Minnesota (Mr. OBERSTAR); and the gentleman from Illinois (Mr. HYDE).

Let me begin by telling Members what this is not about. The amendment before us is not about family planning funding. The bill before us provides up to $385 million for international family planning programs. If the amendment passes, this amount will remain exactly the same, $385 million for family planning. The amendment does not cut that amount by one penny.

Second, the vote on this amendment is not about some of the cartoon illustrations that have been conjured up in some of the faxes and fliers being put out by pro-abortion organizations. This amendment already has a track record. It is substantially identical to the antilobbying provision of the Mexico City Policy, which governed all U.S. foreign family planning programs from 1984 until 1993.

During those 9 years, the antilobbying provision was interpreted according to a rule of reason. We gave population assistance to literally hundreds of organizations during those 9 years, and we never cut off funding to a single organization because an officer of the organization gave a speech. Not even once. In fact, during the whole 9 years, only 2 organizations were ever denied Federal funding under the Mexico City Policy, and it was because they themselves refused to agree not to perform or actively promote abortion except to save the mother's life or in cases of rape or incest.

That is what this vote is really all about. The question is simple: Do we want our chosen representatives in foreign countries to do family planning and only family planning, or do we want them working overtime trying to topple pro-life laws in those countries?

Mr. Chairman, in over 100 countries around the world, the lives of unborn children are still protected by law. But in country after country, we find that the biggest U.S. population grantees are also the most prominent advocates—sometimes the only prominent advocates—of legalizing abortion on demand.

Mr. Chairman, the abortion promoters never tire of reminding us that they promote abortion with what they call ''their own money,'' but this argument deliberately misses the point.

First, it ignores the fact that all money is fungible. When we pay an organization millions of dollars, we cannot help but enrich and empower all of that organization's activities, all that they do, even if the organization keeps a set of books that says it uses its money for one thing and our money for something else.

Even more important, this argument totally ignores what it means to be an agent of the United States in a foreign country. When we choose our representatives abroad, we have a right, and I would submit we have a duty, to ensure that certain minimum standards are met.

I would just point out to my colleagues that overwhelming numbers of Americans support the rights of unborn children, and we do not want our agents acting in such a way as to promote something that we find so offensive, the killing of unborn children on demand.

Mr. Chairman, if the United States decided—and I just say this as an example—to give a grant for an antismoking campaign directed at children in a developing country, it might decide not to give the grant to a tobacco company that also planned to run pro-smoking advertisements in that same country, even if the company promised to use its own money for the cigarette ads.

Mr. Chairman, it is exactly the same way with abortion and family planning. If the reason we fund family planning programs in a foreign country is really to provide contraceptives and counseling in order to reduce the number of abortions in the country, then we are well within our rights if we choose not to run the program through an organization that is also working hard to increase the availability of abortion in that same country. Everyone has a right of freedom of speech, but nobody has an absolute and unconditional right to represent the U.S. overseas or to receive multimillion dollar subsidies in exchange for that representation.

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

□ 1800

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the very distinguished gentlewoman from Connecticut (Ms. DELAURO), the assistant minority leader.

Ms. DELAURO. Mr. Chairman, I thank the gentlewoman for yielding time to me.

I rise in opposition to this amendment. It is a death sentence for thousands of women and children worldwide.

This debate is not about abortion. Under current law, not one penny of U.S. funds can be used for abortion. This debate is about improving the health of women and children and saving lives.

Each year around the world 600,000 women die in childbirth. Access to family planning in the developing world would reduce unintended pregnancies by 20 percent, thus reducing abortions, saving the lives of more than 120,000 women who would die in childbirth every year.

U.S. family planning aid saves the lives of children. It allows families to choose how many children they want and when they will have them. Improved birth spacing can improve the chances of infant and child survival by 20 percent.

If this amendment passes, millions of desperately needed funds now dedicated to family planning would be diverted. More mothers, infants, and children will die. I desperately urge my colleagues to oppose this wrongheaded amendment.

Mr. GREENWOOD. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise to oppose the SMITH amendment. As was just said, every day around the world 1,600 women die in post-partum hemorrhaging. They bleed to death. That is 585,000 women every year. It is a holocaust. Many of these women leave behind orphaned children. These women die because they become pregnant when they are too young, too old, too weak, or too soon after their last pregnancies.

Every day thousands more infants and children die because they are born into families who cannot afford to feed them or to provide medical care for them.

For the past 30 years the developed nations of the world have worked together to stem this awful tide of premature deaths. The program was initiated in 1969 by President Nixon.

International family planning has brought reproductive health care to poor, underdeveloped communities across the globe, and where they have, the death toll has plummeted. It is a good, wise, compassionate, and enlightened program.

But the SMITH amendment threatens that program. It threatens those women and those children. It does so because the reality is no matter how hard local agencies try to provide family planning services to women around the world, some women will become pregnant when they cannot bear another child, and they will seek abortions.

The SMITH amendment says to these medical clinics, if you provide that abortion, we will take away your contraceptive funds. That is exactly, precisely, and frankly the opposite of what is needed. Where women seek abortions, we should promote contraception, not take it away. The SMITH amendment ironically will increase, not decrease, abortions, and it will undermine our international effort to stem the tide of infant and child mortality.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. DELAY), the distinguished whip of the majority party.

Mr. DELAY. Mr. Chairman, I rise today in support of the Smith-Barcia amendment. Under no circumstances, under no circumstances should American taxpayers underwrite pro-abortion activities in foreign countries. Today an increasing number of Americans are growing weary of the abortion on demand policy in our land. There is a growing sense that this practice has hardened our hearts and torn the very moral fabric of this great Nation in two.

After almost three decades, American attitudes towards abortion are becoming less permissive. In fact, a recent survey for the Center for Gender Equality showed that 53 percent of American women believe that abortion should be illegal under all circumstances, or allowed only in cases of rape, incest, and the life of the mother. That is up 8 percent from only 2 years ago.

During this time, when American views on abortion are changing so drastically, it should not be the policy of the United States to undermine abortion laws in other countries. Over the last 6 years, the U.S. Government has provided over $3 billion of taxpayer money to population control organizations overseas. Many of these groups are the largest abortion providers and promoters in the world.

This amendment does not cut population control funding to these organizations by one cent, even though many of us would like to do so. This amendment simply prohibits American aid from going to groups that violate existing foreign abortion laws, or lobby to change the laws in approximately 100 countries that currently restrict that practice.

Mr. Chairman, in a Nation founded on freedom, we must continue to trumpet the reality that all of our rights add up to nothing if we do not protect the most important of them all, the right to be born. While we are struggling with this truth at home, we definitely should not be undermining abortion laws abroad.

I just urge my colleagues to support the Smith-Barcia amendment.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Smith amendment to the foreign operations bill.

Over the last 40 years, the world's population has doubled, and at the rate we are going it will double again by the year 2050. The number of people on Earth will increase by 78 million a year. It is 156 congressional districts. Think of that.

We must ask ourselves, if we continue to grow at this pace, who will be taking care of these children? What will happen to them? The answer is that they will face water shortages, famines, global warming, infant mortality, and political and economic instability. Supporting family planning services gives the children of the world a chance for the quality of life that we want for our very own children; a quality of life, by the way, that is threatened equally when the population of our globe expands to the extent that it is anticipated.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. GILMAN).

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

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

Mr. Chairman, I rise in strong support of the Greenwood compromise and in opposition to the Smith amendment.

Mr. Chairman, the Greenwood compromise represents a new bipartisan consensus on family planning. I will note that the Greenwood amendment has a requirement that the Smith amendment lacks. The Greenwood amendment requires recipients to certify that their programs will reduce the incidence of abortion. We know from our experience in Central Asia that family planning reduces unintended pregnancies and abortion.

We all want fewer abortions and we want family planning. The Greenwood compromise is the way to get there. I urge Members to join with CARE, the American Association of University Women, and the League of Conservation Voters who have endorsed the Greenwood compromise.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 15 seconds to the distinguished gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding time to me. I intend to vote for the gentleman's amendment.

I want to point out to my colleagues that on page 8 of this bill, it says that none of the funds made available under this heading may be used to pay for the performance of abortions as a method of family planning, or to motivate or encourage any person in the practice of abortions.

I just wanted to make the bill's position clear on abortion.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the very distinguished gentlewoman from New York (Mrs. LOWEY), a member of the Subcommittee on Foreign Operations, Export Financing, and Related Programs.

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

Mrs. LOWEY. Mr. Chairman, I rise in opposition to the Smith amendment and in strong support of the Greenwood-Lowey compromise amendment.

The proponents of the Mexico City policy claim it simply cuts abortion funding. What they do not tell us is that abortion funding overseas has been prohibited since 1973, as our chairman has said. This amendment would cut abortion funding from its current level of zero to zero.

What this amendment will really do is destroy our international family planning programs. One of the most important forms of aid that we provide to other countries is family planning assistance. No one can deny that the need for family planning services in developing countries is urgent.

The aid we provide is both valuable and worthwhile. The Smith amendment would defund family planning organizations that perform legal abortions with their own money, and it would also impose a gag rule on nongovernmental organizations and multilateral organizations that provide U.S.-supported family planning aid overseas.

The Greenwood substitute specifically and carefully addresses my colleagues' concerns, so please vote for the Greenwood substitute.

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

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me, and for his leadership.

Mr. Chairman, I rise in opposition to the Smith amendment restricting international family planning funding.

The Smith amendment is at odds with our tradition of free speech. It would impose a gag rule with respect to a single issue. It would deny women and family planning organizations the fundamental right to lobby for redress of grievances, and it holds foreign nongovernmental organizations to a standard which we could not and hopefully would not impose on U.S. organizations or on American women.

The Smith amendment would preclude USAID from working with many organizations that provide effective voluntary family planning and women's health services, and often in places where women have few alternatives. The result would be an increase in unintended pregnancies, maternal and infant deaths, and unsafe abortions.

I repeat that family planning reduces abortions. The Greenwood-Pelosi amendment would prevent abortion funding, require adherence to the laws of the country in which the NGOs operate, and deny funding of abortion as a means of family planning. So I would ask this body strongly to vote ''no'' on Smith, ''yes'' on Greenwood.

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. RYUN).

(Mr. RYUN of Kansas asked and was given permission to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Chairman, I would just like to offer my support for the Smith amendment, and ask that my colleagues vote for the Foreign Families Protection Amendment.

Mr. Chairman, until its removal in 1993 by President Clinton, the Mexico City Policy prevented foreign organizations from using American tax dollars to perform or encourage the termination of a child's life through abortion. Since 1993, over three billion American taxpayer dollars have been given to international population control groups. Many of these organizations provide and promote abortions, considering abortions a reasonable and convenient means to achieve their objective.

That is why I support the Foreign Families Protection Amendment to the Foreign Operations Appropriations bill. The amendment renews the Mexico City Policy that was in effect from 1984 to 1992. The Amendment will also prohibit funds from being given to organizations which lobby to change abortion laws in other countries.

In keeping with my responsibility to uphold the Constitution, I cannot agree to lend U.S. financial support to organizations in other countries that seek to deny others their inalienable right to life. I would urge my colleagues to search their consciences and protect the rights of unborn children who have no voice to speak for themselves.

Mr. Chairman, I ask for a ''yes'' vote on the Foreign Families Protection Amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1¾ minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, the Mexico City Smith amendment has changed drastically over the years. All it does now is it prevents subsidizing lobbying activities in foreign countries. It is called the Foreign Families Protection Amendment.

As millions of U.S. taxpayer dollars flow to developing nations for the purpose of population control, it is critical that we refrain from paternalistically injecting our own penchant for abortions into these Nations. With the degree that we in this Nation disagree on the subject of abortion, it is not, at the very least, appropriate that we refrain from providing U.S. taxpayer funds to organizations that lobby for abortions overseas.

Where are the multiculturalists now who suggest that we respect developing cultures when their beliefs do not agree with ours? Apparently, if these beliefs are not pro-abortion, that creed holds no meaning.

Mr. Chairman, United States taxpayers who hold such conflicting views on abortion should absolutely not be forced to subsidize those lobbying activities. Support the Smith amendment.

Ms. PELOSI. Mr. Chairman, I am very, very pleased to yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY), a leader on issues of family planning throughout the world and a champion of poor women and poor families.

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI) for her leadership and for yielding time to me.

Mr. Chairman, I rise in opposition to the Smith amendment, which if it should pass, would be surely vetoed by the President, as he has vetoed it in the past. It has no chance of becoming law.

If Members support additional restrictions on family planning, they should support the bipartisan Greenwood compromise, because it has the possibility of actually becoming law.

□ 1815

The Smith amendment is unnecessary because U.S. law, the Helms amendment of 1973, already prohibits the use of United States funds to either perform abortion or to lobby for or against abortion rights. The real target is and always has been family planning services and those organizations most qualified to deliver them.

The Smith amendment's ban on speech is nothing more than a gag rule that will punish foreign organizations for engaging in public policy debate, for petitioning their government, for being involved in the democratic process, rights that would be protected under the First Amendment in our country.

The Smith amendment is constitutional solely because it applies only to foreigners outside of the United States.

Instead, I ask my colleagues to join me and many others in a compromise. Instead of telling other countries what they can and cannot do, let us respect other countries' laws. In the Greenwood compromise, these countries would be disqualified, any foreign nongovernmental organization, from being eligible for U.S. population assistance if it provides abortions in violation of that country's laws.

I urge my colleagues to vote against the unnecessary, because it is already law, the anti-family planning, and the undemocratic Smith amendment, and to support the Greenwood compromise.

The CHAIRMAN. All time of the gentlewoman from California (Ms. PELOSI) has expired. The gentleman from Pennsylvania (Mr. GREENWOOD) has 1½ minutes remaining. The gentleman from New Jersey (Mr. SMITH) has 2½ minutes remaining.

PARLIAMENTARY INQUIRY

Mr. GREENWOOD. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GREENWOOD. Mr. Chairman, who is entitled to close this debate?

The CHAIRMAN. Under this circumstance, the gentleman from New Jersey (Mr. SMITH) would be entitled to close the debate.

Mr. GREENWOOD. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CAMPBELL), who I think of when I think of the conscience of this House.

Mr. CAMPBELL. Mr. Chairman, I thank the gentleman from Pennsylvania for that very generous introduction.

Mr. Chairman, I ask the gentleman from New Jersey (Mr. SMITH) if he would enter into a colloquy.

Mr. Chairman, I yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Sure. I would be happy to, Mr. Chairman.

Mr. CAMPBELL. Mr. Chairman, to the gentleman's knowledge, does the United States give money to Israel?

Mr. SMITH of New Jersey. Yes, it does.

Mr. CAMPBELL. Does Israel permit abortion?

Mr. SMITH of New Jersey. Israel does permit abortions.

Mr. CAMPBELL. Mr. Chairman, would not the logic, then, of the amendment of the gentleman from New Jersey, is not about fungible money, mean that we should vote to cut off all aid to Israel?

Does the gentleman not believe, then, that the logic he is putting forward to this House, namely, that all money is fungible; that if we give money for some purposes which are good, but some of the recipients which receive that money use it for other purposes, including abortion; then that premise justifies cutting off all assistance, and that that premise would lead you to cut off all aid to Israel.

I am pleased to yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman from California for yielding to me.

Absolutely not. As a matter of fact, we faced that back in 1984 when the Mexico City policy was first crafted, that there is only one government per country, whereas there are a multitude, a myriad of NGOs to whom we could provide money. And if a certain NGO said it wanted to promote abortion and lobby to bring down the right-to-life laws, we could find another NGO that wanted only to do family planning.

Mr. CAMPBELL. Mr. Chairman, I reclaim my time to suggest that the logic of the gentleman from New Jersey puts him into this corner. I know the gentleman's amendment avoids it, but the logic that he presents to us is, if we give money and it is intended for a good purpose, but, since all money is fungible, if some of it ends up for abortion, then we should not give any money at all.

The fact is, Mr. Chairman, that there is awfully important work done by family planning. The underlying bill, the chairman's mark, does not include this language. We should not support the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman from New Jersey for yielding me this time, and I rise in support of the Smith amendment, and I ask my colleagues to vote for it and vote in opposition to the Greenwood amendment.

This is much clearer this year, and it is pretty straightforward. If my colleagues think taxpayer dollars should go to fund organizations that are going to try to overturn pro-life laws in foreign countries, then they do not want to vote for the Smith amendment. If my colleagues think that it is an inappropriate use of the taxpayer dollars of working Americans, vote for the Smith amendment; vote against the Greenwood amendment. It is not confusing this year. It is very straightforward.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. MYRICK) to close.

Mrs. MYRICK. Mr. Chairman, I rise in support of the Smith amendment that would protect foreign countris from U.S. taxpayer dollars being used to undermine their laws on abortion.

Congress has repeatedly banned the use of taxpayer dollars to pay for abortions within our own borders, except when the life of the mother is endangered or in cases of rape or incest. This amendment continues to guarantee that American taxpayer dollars are subject to the same test when the money is used to assist foreign countries.

Money is fungible. Any organization that is involved in international family planning efforts and performs abortions and lobbies to weaken abortion laws should not receive taxpayer dollars.

The international population control groups are active and powerful. Some of the groups are actively trying to lift restrictions on abortions in over 100 countries, including Ireland, Brazil, Mexico, and Sri Lanka. We should not be funding their lobbying efforts. But if we continue to subsidize their other programs, we will be doing exactly that.

This amendment will not decrease the amount of money available for international family planning. It does not limit funding for organizations that perform abortions only in cases where the mother's life is endangered or in cases of forcible rape or incest.

The Smith amendment does not limit the ability of the staff of international population control groups from lobbying on their own time as individual citizens, but they would be limited from doing so as a representative of an organization that receives U.S. funds because these organizations are seen as our representatives.

Mr. Chairman, we need to protect our taxpayers' dollars. I urge a vote for the Smith amendment and against the Greenwood amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to oppose the amendment offered by Representative SMITH that would prohibit U.S. population assistance funds from being made available to foreign organizations that perform abortions. This amendment also prohibits these funds from being used to change the abortion laws of foreign countries and for any activities that violate the abortion laws of foreign countries. I believe that this amendment is tantamount to a global gag rule on abortion.

This amendment prohibits overseas nongovernment organizations ("NGOs") that receive government funds from providing education or even engaging in discussion about abortion services. The NGOs are also prohibited from lobbying the foreign government or encouraging the citizens to lobby their government with respect to abortion law and policy.

We value freedom in this country, and freedom of speech is one that we hold dear. We also value the freedom to petition our government when we disagree with certain policies. In other countries, we advocate the cause of democracy, and freedom of speech is an important component of a democratic government.

When NGOs travel to other countries with the purpose of advocating certain programs, such as family planning information, we should not support a gag rule that limits the ability of that organization from providing that information.

Family planning and reproductive health information is crucial to women in developing countries. Without this information, many women, are at risk for death due to pregnancy and childbirth. Information about abortion service simply provides these women with the option of exercising a choice for their reproductive health.

This global gag rule also prevents these organizations from providing abortion services when necessary. These organizations often use their own funds and this restriction impinges on the free speech rights of these organizations. It is unconstitutional to treat a U.S. organization in this manner.

I strongly oppose any form of a global gag rule and I urge my colleagues to oppose this amendment. We must support efforts to increase family planning around the globe, and this amendment simply imposes a restriction on the rights of women to choose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

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

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 228, noes 200, not voting 6, as follows:

[Roll No. 349]

AYES—228

Aderholt	Buyer	Doolittle
Archer	Callahan	Doyle
Armey	Calvert	Dreier
Bachus	Camp	Duncan
Baker	Canady	Dunn
Ballenger	Cannon	Ehlers
Barcia	Chabot	Emerson
Barr	Chambliss	English
Barrett (NE)	Coble	Everett
Bartlett	Coburn	Ewing
Barton	Collins	Fletcher
Bateman	Combest	Foley
Bereuter	Cook	Forbes
Berry	Cooksey	Fossella
Bilirakis	Costello	Fowler
Bliley	Cox	Gallegly
Blunt	Crane	Ganske
Boehner	Crowley	Gekas
Bonilla	Cubin	Gibbons
Bonior	Cunningham	Gillmor
Bono	Danner	Goode
Borski	Deal	Goodlatte
Brady (TX)	DeLay	Goodling
Bryant	DeMint	Goss
Burr	Diaz-Balart	Graham
Burton	Dickey	Granger

Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kildee
King (NY)
Kingston
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Quinn
Radanovich
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
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
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—200

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Kuykendall
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Wise
Woolsey
Wu
Wynn

NOT VOTING—6

Chenoweth
Jones (OH)
McDermott
Peterson (PA)
Rahall
Skelton

□ 1842

Messrs. RODRIGUEZ, STRICKLAND and ENGEL changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I think at this point it is my understanding, and the Chairman of the Committee of the Whole may be able to confirm this, that the procedure is going to be that we are going to now bring up the Greenwood amendment, which has a total of 20 minutes debate, at which time we will then vote on the Greenwood amendment.

After the vote on the Greenwood amendment, we will then roll votes for at least 2 hours in order that Members will have the opportunity to go and have dinner, or to do what other business they need to do, and then return and vote on the rolled votes at approximately 9 or 9:15 p.m.

Is that the Chairman's understanding as well?

The CHAIRMAN. The gentleman is correct.

It is now in order to consider amendment No. 2, printed in Part A of House Report 106–269.

AMENDMENT NO. 2 OFFERED BY MR. GREENWOOD

Mr. GREENWOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 2 printed in House Report 106–269 offered by Mr. GREENWOOD:

At the end of this bill, insert after the last section (preceding the short title) the following:

RESTRICTION ON POPULATION PLANNING ACTIVITIES OR OTHER POPULATION ASSISTANCE

SEC. _____. (a) None of the funds appropriated or otherwise made available for population planning activities or other population assistance under title II of this Act may be made available to a foreign nongovernmental organization unless the organization certifies that—

(1) it will not use such funds to promote abortion as a method of family planning or to lobby for or against abortion;

(2) it will use such funds that are made available for family planning services to reduce the incidence of abortion as a method of family planning;

(3) it will not violate the laws or policies of the foreign government relating to the circumstances under which abortion is permitted, regulated, or prohibited; and

(4) it will not engage in any activity or effort in violation of applicable laws or policies of the foreign government to alter the laws or policies of such foreign government relating to the circumstances under which abortion is permitted, regulated, or prohibited, except with respect to activities in opposition to coercive abortion or involuntary sterilization.

(b) The limitation on availability of funds to a foreign nongovernmental organization under subsection (a) shall apply—

(1) to funds made available to an organization either directly or indirectly as a subcontractor or subgrantee; and

(2) to activities in which the organization engages either directly or indirectly through a subcontractor or subgrantee.

The CHAIRMAN. Pursuant to House Resolution 263, the gentleman from Pennsylvania (Mr. GREENWOOD) and a Member opposed each will control 10 minutes.

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

□ 1845

The CHAIRMAN. Does the gentleman from New Jersey (Mr. SMITH) seek to control the time in opposition?

Mr. SMITH of New Jersey. Yes, Mr. Chairman, I do.

Mr. GREENWOOD. Mr. Chairman, I ask unanimous consent that I may yield 5 of those 10 minutes to the gentlewoman from California (Ms. PELOSI) for her to control.

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

There was no objection.

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

Mrs. MORELLA. Mr. Chairman, this amendment, the Greenwood-Pelosi amendment, is one that all of us on both sides of the aisle can easily vote for.

Under current law, let me just reiterate, no U.S. funds are used to perform abortion. I want to repeat that. No U.S. funds can be used to perform abortion under current law or to lobby for or against abortion. We already know that.

I want to point out that the Greenwood-Pelosi amendment reiterates the ban on the use of U.S. funds to lobby on abortion and, in addition, it adds that no U.S. funds may be used to promote abortion as a method of family planning.

The Greenwood-Pelosi amendment makes clear that organizations receiving U.S. funds for family planning services must be committed to using those funds to reduce the incidence of abortion.

We all know that it has been very clear, looking at Russia and other states of the former Soviet Union, that abortion was relied on previously as a primary method of birth control. And now with the advent of contraception,

the abortion rate has plummeted 25 percent. The number has dropped by 800,000.

So I ask this body to vote for the Greenwood-Pelosi amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Chairman, I rise in opposition to the Greenwood amendment.

Sometimes in Congress it is hard to tell one bill from another. We just passed the Smith–Barcia foreign families protection bill. The Greenwood amendment looks very much like it.

As we wade into this, we need to recognize that this is not just another pro-choice, prolife debate. Because that is really not the issue. And the issue is not cutting funding for family planning abroad, because we certainly support family assistance abroad. The bill we have passed does not cut that.

The main issue here today is will we force American taxpayers to undermine the values of families and other countries and to try to change their laws.

Approximately 100 countries already have laws restricting abortions. These are countries like Ireland, Brazil, and Mexico.

Now, we can debate and argue about whether or not we like the way they restrict abortion. But, hopefully, all of us would agree that we should not ask American taxpayers to fund an organization that is working to change those laws when here at home we have not agreed about that issue.

That is really the crux of the issue. Because while we talk about funding, we need to understand how the Greenwood amendment would fund these activities.

The Greenwood amendment would allow our taxpayer money to go to organizations that lobby to change or undermine laws restricting abortions. The way the amendment is written, it says these funds cannot be used for those purposes. That is kind of like giving soft money to a political party and telling them not to use that to support candidates.

We are supporting the lobbying to undermine organizations abroad if we vote for the Greenwood amendment.

I have got the wording here. And so, if we need to debate it, it is constantly use funds to promote abortion while it would allow organizations to receive this funding who promote abortion and lobby against the laws.

There is a clear distinction here if we read it. And I ask my colleagues on both sides of the prolife, pro-choice issue to vote against the Greenwood amendment and allow the Smith–Barcia foreign families protection amendment to stand.

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

Mr. Chairman, I would like to just acknowledge the statement of the gentleman that giving this amendment to the groups is like giving soft money to a candidate.

Does that mean that he then is opposed to soft money in campaigns? I hope it does.

Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY) a distinguished leader and a member of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mrs. LOWEY. Mr. Chairman, I thank my friend from California for yielding me the time.

Mr. Chairman, I would like to address my colleague. Because the Greenwood substitute specifically and carefully addresses the concerns of my colleague about abortion without destroying our international family planning programs.

It says explicitly, no U.S. funds may be used to lobby on abortion, for or against, that no U.S. funds may be used to promote abortion as a method of family planning; and it prohibits any recipients of U.S. international family planning assistance from using U.S. or private funds to violate abortion and advocacy laws in the countries in which they operate.

In other words, if abortion is illegal in a country, an organization cannot use its own money to perform abortions. And if a country prohibits advocacy on abortion, an organization cannot use its own money to advocate on the issue. If an organization violates either of these requirements, it loses its U.S. assistance, period.

This substitute is very clear that the U.S. respects the laws of the nations in which we have family planning programs and respects the ability of those nations to enforce their laws.

I urge my colleagues to support the Greenwood substitute.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, it is not the same old debate.

First of all, remember, the Smith language has never ever become law. The Greenwood language this time includes a new requirement that the Smith language does not include. The Greenwood language requires that an organization certify that the funds will be used to reduce abortion.

I think every prolife Member of this body ought to be voting for Greenwood. It requires certification that the money will be used to reduce the incidence of abortion.

How can he do that? Well, in Central Asia, where abortion was the only method of family planning under Soviet rule, once women were given access to family planning, abortion rates plummeted, plummeted. So under this bill, if they receive this money, they will have to be willing to certify that they are going to go after those populations that have essentially no choice in family planning but abortion.

Support the Greenwood amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1½ minutes to my good friend, the gentleman from Michigan (Mr. BARCIA).

Mr. BARCIA. Mr. Chairman, we should not spend American dollars for activities that we cannot similarly spend within our own borders.

We have, as a Nation, established a policy in which we prohibit the use of Federal dollars to pay for abortions because of the value that we place on each human life. We should and must demand that any international organization receiving our dollars follow the same limitations that we impose upon ourselves.

The Smith-Barcia amendment, which this House has already passed, uses precise language to prevent taxpayer funding of organizations that engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning abortion.

This amendment now before us would only serve to dilute and confuse this pro-child, pro-family statement. We should not hide behind any ''shades of meaning'' interpretations. Instead, we must be explicit about our goals.

The Smith-Barcia amendment retains the amount of funding available for international population assistance but we ensure that the money goes only to those organizations who do not perform abortion.

We know that there are some organizations which claim that they are assisting in only family planning activities, not abortions, even though the end result of what they are promoting is in fact an abortion. Therefore, I urge my colleagues to vote ''no'' on the Greenwood amendment.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, the Greenwood amendment ensures that organizations receiving U.S. assistance do not use those funds to perform abortions, promote abortions, or to lobby for or against abortions.

I am baffled why my colleagues on the other side of the aisle would oppose this amendment and oppose programs which have increased childhood survival rates, reduced maternal death rates, and improved women's reproductive health in the developing world.

It is estimated there are 75 million unwanted pregnancies worldwide, mostly in developing countries. The reproductive health services we need to preserve will dramatically reduce these unwanted pregnancies by providing family planning services and will, therefore, reduce unwanted abortions.

If my colleagues really support reducing abortions and reducing unwanted pregnancies, vote ''yes'' on this amendment. If they want to eliminate family planning altogether, say so.

Do not mask it in some other argument. Just tell us that, and then we can debate on those grounds.

□ 1900

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 30 seconds just to respond briefly.

Mr. Chairman, in the previous amendment we made very clear to all our colleagues—all of the sponsors of the amendment, and there were several—that we were not reducing family planning by one penny. Our amendment says we have got to get out of the promotion of abortion overseas. Regrettably, many of the so-called family planning organizations in some countries are the primary engine trying to topple right-to-life laws. That is cultural imperialism. It certainly puts the unborn and their mothers at risk. And as Planned Parenthood has said, and I can give Members the quote, ''When abortion laws are liberalized, the number of abortions skyrocket.'' That is their word, skyrocket. So if we want more abortions, liberalize the laws.

The CHAIRMAN. The Chair would inform the Committee that the gentleman from Pennsylvania (Mr. GREENWOOD) has 3 minutes remaining, the gentleman from New Jersey (Mr. SMITH) has 5 minutes remaining, and the gentlewoman from California (Ms. PELOSI) has 3 minutes remaining.

PARLIAMENTARY INQUIRY

Mr. GREENWOOD. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GREENWOOD. Mr. Chairman, do I have the right, the entitlement to close this debate?

The CHAIRMAN. The gentleman is correct.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Chairman, my friend from Pennsylvania is one of the great Members here to try to work out different compromises. I commend him for that, and in many pieces of legislation we can. When we get to the issue of abortion, it is very difficult to divide a baby, particularly if you believe, as I do, that it is a human life and it is either going to be alive or dead.

For many of us, this is a very deeply held position. We believe, as my colleagues heard in the earlier debate, that this is directly fungible money, that these organizations have hidden goals to them, and while I respect very much my friend from Pennsylvania's attempt to come up with compromise language, there are just too many loopholes in this language, it is too duplicative in other parts, and I believe that it would not in fact stop international abortion funding. I do not believe in the end that we can split a baby.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise in strong opposition to the Smith amendment and in support of the Greenwood-Pelosi amendment. The Greenwood-Pelosi amendment ensures that U.S. funds for family planning will continue to be made available to foreign countries and the U.S. will not interfere with the laws of those foreign countries. These provisions embrace our Nation's attempts to create healthy and prosperous communities around the world.

Family planning is a necessity, Mr. Chairman, within our country and around the world. Providing education on methodologies which may harm a woman's pregnancy, ways to avoid needing an abortion, prenatal care, and how to care for babies are all necessary components of family planning.

I thank the gentleman from Pennsylvania, the gentlewoman from California and all of my colleagues who are here today to stand up for responsible foreign policy and making sure that the essentials of family planning are available to the women and families that need it throughout the world. I encourage my colleagues to join me in supporting the Greenwood-Pelosi amendment and defeating the Smith amendment.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of this amendment, because this amendment respects the laws of other countries and it respects the women of other countries.

Now that we have passed the Smith amendment, we have three choices before us: We can either outlaw sex, which is probably not going to be particularly successful, it certainly has not in the countries that we are talking about; or we can turn our back on illegal abortions and we can accept the women of Third World countries being consigned to the poverty, the desperation, the suffering, the exploitation that overpopulation entails; or we can do what the Greenwood amendment does, which is to say there is an alternative to abortion, and, that is, responsible family planning.

That is what our country has done. That is why we are successful. That is why we are a first world country, because we have been able to control overpopulation because we have been able to empower women to control their lives.

Vote for the Greenwood amendment. It is the responsible thing to do. It is the only responsible thing to do.

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

I rise in support of the Greenwood amendment. I do so for the following reasons:

Listening to the debate, I think that it is important to make a couple of points. One of our colleagues said that we should have the same limitations on the organizations overseas that we have in the United States. Indeed, if we tried to put this gag rule on any organizations in the United States, it would be unconstitutional. I think we should treat the international organizations the same way as we treat those in the United States, and, that is, with the freedom of speech.

Secondly, I am very baffled, I will join my colleague from Colorado in using the word ''baffled,'' by the comments of some of our colleagues. If indeed our colleagues agree that abortion should be permitted in case of rape, incest and life of the mother, why then would we say that there should be no conversation about this subject in case of rape, incest and life of the mother for women who need to terminate a pregnancy overseas and organizations who are striving to reduce abortions with family planning?

Mr. Chairman, if we want to reduce abortions, we know the best way is to fund family planning. The gentleman from Pennsylvania offers a fine alternative. I urge my colleagues to support it.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the House has just made a very strong statement in favor of women and children around the world by passing the pro-life Foreign Families Protection Act offered by the gentleman from Michigan (Mr. BARCIA), the gentlewoman from North Carolina (Mrs. MYRICK), the gentlewoman from Florida (Ms. ROS-LEHTINEN), the gentleman from Mississippi (Mr. SHOWS), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Illinois (Mr. HYDE), and myself. I believe if we stand firm now, we have a chance not only to make a statement but also to make a difference. Even though the Greenwood amendment, the pending amendment, does not alter our amendment one iota—the two would lay side by side, I do urge my colleagues not to dilute the pro-life, pro-family, pro-child message by passing the amendment now pending.

Mr. Chairman, the Greenwood amendment is an empty shell. I say that with all due respect to my friend and colleague from Pennsylvania. It has a tremendous amount of surface appeal, but that is all it has. Its supporters try to portray it somehow as a pro-life amendment.

Look at it. I have had Members come up and say, ''What's wrong with this? It looks like a right-to-life amendment.'' But I would say again with all due respect that they, the Members offering this amendment today, are the leadership of the abortion rights movement here in this Congress. They are certainly entitled to their deeply held opinions, and we can respect those opinions. But I think we should be skeptical about whether their amendment is really a pro-life amendment.

Mr. Chairman, if I ever stand up on this floor and suggest to Members that

I am offering a pro-abortion amendment, I hope that my colleagues would be equally skeptical, and I hope that they would look at the fine print. I make the same strong recommendation in this case. When the leadership of the abortion rights movement say they are offering an amendment with all kinds of seemingly pro-life language in the amendment, we need to read the fine print.

The fire print says this, Mr. Chairman: There is nothing whatever in the Greenwood amendment that would alter current policy, which today provides millions of dollars to foreign nongovernmental organizations that are aggressively working to overturn the laws of other countries on abortion.

If we go back and look at history, the reason for the Mexico City policy—and we have only offered half of that policy in the previous vote, the President has a waiver for the performance part but not on the promotion part—was that the current policy was found to be so infirm. It was not doing the job. Foreign nongovernmental organizations were setting up shop in one country's capital after another and then they would network and begin trying to topple the right-to-life law. I believe that is cultural imperialism, especially when we are the major donor in many cases to those various nongovernmental organizations.

Under the Greenwood language, U.S. taxpayers would still subsidize foreign pro-abortion organizations. You just have to flip on and go through the Internet. Bring up the Irish Times. There was a piece just the other day about how the Irish Family Planning Association is going to be spearheading a big effort to undermine the pro-life laws in the Republic of Ireland. That is happening all over the world.

The gentlewoman from Connecticut pointed out earlier that this has never been law, but it was the policy under the Reagan and Bush years. We provided a maximum amount of money for family planning, we were the major donors during those years, but we had a fire wall between family planning (contraception) and abortion, believing that the latter destroys the life of an unborn child.

The language in the amendment of my good friend from Pennsylvania is actually weaker than current law, because he restricts lobbying only when it is a ''method of family planning.'' Planned Parenthood has said in their statements that there is no such thing as a birth control abortion. They would say it is a health abortion. Roe v. Wade says ''health,'' includes emotional and mental health. So we have a situation where virtually any abortion would be permitted and no lobbying would be precluded under my friend's amendment.

Again, I think it tries to look like a pro-life amendment. I looked at it and had to look at it very carefully. I do hope we will vote it down and I hope that in conference the real McCoy, not the counterfeit, will be accepted.

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

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 3 minutes.

Mr. GREENWOOD. Mr. Chairman, my good friend, and he is my good friend the gentleman from New Jersey (Mr. SMITH), said that he hopes that his language remains in the conference committee report. It is a false hope. It is an ardent hope, but it is a false hope. It will not and it has not, year after year, this year being no exception. It received 228 votes, but it will not remain in the conference committee and it will not become law.

So the question before us now is what will remain in the conference committee? If we adopt the Greenwood amendment, we will have some restrictions that we should all support. What are those provisions? The organizations that receive these funds have to certify, as my language does, that they will not use funds to promote abortion as a method of family planning or to lobby for or against abortion. We all support that. Every Member of this House supports that notion. It says that they will use these funds that are made available for family planning services to reduce the incidence of abortion as a method of family planning. We all, 435 of us, stand for that premise. It says that these organizations must certify that they will not engage in an activity or effort in violation of applicable laws or policies of the foreign government, or alter the laws or policies of such where pregnancy was carried to term. In the case of rape or incest, it is with that exception. And it says, the funds appropriated for family population planning activities must only be made to organizations that agree not to violate the laws of any foreign country. So why would all 435 of us not vote for something that all 435 of us believe in?

The gentleman from New Jersey said his legislation makes a statement and it does. He said it will make a difference and it will not. It will not become law. So if you want to make a difference, then you vote for what is left. It is a compromise. It is wise, it is fair, it is something in which we all believe.

And so the only reason, Mr. Chairman, to vote against this amendment is to make the statement that we are so divided by our ideology that we cannot work together and stand together on the basis of our shared intentions. That is what is left to fight about.

The gentleman from New Jersey said this language looks like it is pro-life language. It is pro-life language in the way that most Americans think of. This supports the notion that we care about the 585,000 women, mothers, sisters, daughters who hemorrhage to death because they do not have the availability of family planning. It supports the life of the tens and hundreds of thousands of children who die of starvation and for lack of medical care. That is the pro-life it is for. That is why we should all vote for it.

I urge my colleagues to get together and do the right thing.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in reluctant support of the Greenwood Amendment that prohibits U.S. funds from being used to promote abortion as a method of family planning. This amendment also prohibits the use of U.S. funds to lobby for or against abortions in countries where abortion is illegal. I support this amendment because it continues to support the notion of international family planning.

This amendment requires that non-governmental organizations respect the laws of foreign countries where abortion is illegal. But unlike the Smith amendment, it does not prohibit these organizations from performing abortion services when necessary.

This amendment does provide restrictions on abortion services in other countries, but the restrictions refer to governmental activities that would undermine the sovereignty of a nation to determine what laws should govern its citizens.

This amendment does not encourage a global gag rule that restricts all discussion of abortion. The funds given to these NGOs must be used to reduce the incidence of abortion as it encourages other methods of family planning.

This amendment does not discourage these organizations from using their own funds to promote education, but simply places a restriction on the use of U.S. funds.

I support this amendment because I understand that many Members are uncomfortable with the U.S. government funding abortions overseas. This amendment offers a compromise that would allow these private NGOs to use their own funds. I urge my colleagues to support this amendment.

Mr. PORTER. Mr. Chairman, I rise in strong support of the Greenwood/Lowey amendment. For 19 years, I have come to the floor in support of international voluntary family planning.

During this time, in spite of Congressional intransigence, international family planning programs have evolved, and in return, countless infants and mothers have been saved and their lives and the lives of their families are healthier and more productive. Family planning is not simply about providing women in the developing world with health options. It is about empowering women to take charge of their lives and in return improve the lives of their families.

I find it ironic that some Members who oppose international family planning seek to increase funding for child survival programs. If babies do not survive birth, they will never benefit from child survival programs. Further, if these children that we seek to help, are not born to healthy mothers and into a healthy family, their chances for survival are greatly reduced.

Family planning services are a standard part of other health services in the developing world because some of the greatest health crises facing these populations unfortunately, originate with the transmission of infectious diseases. HIV/AIDS infection continues to increase.

Earlier this year, AIDS became the number one killer in Africa, only eighteen years after it was first recognized.

In the past six months, HIV/AIDS has reached epidemic proportions in Russia, In

Moscow, there has been a twelvefold increase of reported cases in comparison to last year. Maternal deaths attributed to AIDS has left 8.2 million orphans across the world. 8.2 million orphans!

If people are truly interested in helping children in the developing world, they would support international voluntary family planning. Because there is no vaccine for HIV/AIDS, the only way to try to slow the spread of HIV/AIDS is through education and the distribution of contraceptives, and these services are part of family planning programs.

Providing extensive child health programs without providing reproductive health services would be like building a house without the foundation. If children in the developing world never reach the point of being able to benefit from child health programs, these programs are useless.

This amendment is basically a compromise. Send this amendment to conference. Let the conferees decide whether this amendment will lead to adoption of the conference report on this bill. I have confidence they will be where the American people are—overwhelmingly in support of family planning services for all women.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. GREENWOOD).

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

RECORDED VOTE

Mr. GREENWOOD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 221, noes 208, not voting 4, as follows:

[Roll No. 350]

AYES—221

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Kuykendall
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Nethercutt
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Skeen
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Wise
Woolsey
Wu
Wynn

NOES—208

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ewing
Fletcher
Forbes
Fossella
Gallegly
Ganske
Gekas
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kildee
King (NY)
Kingston
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Quinn
Radanovich
Rahall
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Traficant
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Chenoweth
McDermott
Peterson (PA)
Skelton

□ 1930

Mrs. NORTHUP changed her vote from ''aye'' to ''no.''

Ms. DUNN and Messrs. SANDLIN, BISHOP, and NETHERCUTT changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. CALLAHAN. 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. GILLMOR) having assumed the chair, Mr. THORNBERRY, 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. 2606), making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONCURRENT RESOLUTION WAIVING SECTION 132 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–274) on the resolution (H.Res. 266) providing for consideration of a concurrent resolution waiving the requirement in section 32 of the Legislative Reorganization Act of 1946 that the Congress adjourn sine die not later than July 31, 1999, which was referred to the House Calendar and ordered to be printed.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 263 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2606.

□ 1937

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, with Mr. Thornberry in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, Amendment No. 2 printed in part A of House report 106–269 by the gentleman from Pennsylvania (Mr. GREENWOOD) had been disposed of.

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, and for other purposes, namely:

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided,* That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of enactment of this Act.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $759,000,000 to remain available until September 30, 2003: *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 such sums shall remain available until September 30, 2018 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2000, 2001, 2002, and 2003: *Provided further,* That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, or related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: *Provided further,* That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $25,000 for official reception and representation expenses for members of the Board of Directors, $55,000,000: *Provided,* That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading: *Provided further,* That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2000.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided,* That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $35,000,000: *Provided further,* That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey:

Page 3, line 25, after the dollar amount insert ''(reduced by $10,000,000)''.

Page 4, line 25, after the dollar amount insert ''(reduced by $10,000,000)''.

Page 23, line 5, after the dollar amount insert ''(increased by $20,000,000)''.

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as having been read.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I am offering this amendment to try to increase the amount of money in the refugee account. As I think my colleagues know, I chair the Subcommittee on International Operations and Human Rights. Just a few days ago we passed legislation that significantly enhanced the money provided for refugee protection, some $750 million. My amendment today, regrettably, does not even come close to realizing that.

I understand that the gentleman from Alabama (Mr. CALLAHAN), my good friend and colleague, has an enormous difficulty with the budget constraints in providing the necessary funds. But this amendment—and I will be withdrawing it, but reluctantly—has the support of all of the major refugee organizations, including the Catholic Conference, the Council on Jewish Federations, Church World Services, U.S. Committee for Refugees, and others. But my hope is, and I would ask the distinguished chairman if he could at least try, when conference does occur, to try to restore this $20 million to the migration and refugee account. I do have every confidence he will make every effort.

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

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

Mr. CALLAHAN. Mr. Chairman, we will be happy to look at it in conference to see if we cannot increase the assistance to refugees.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the distinguished chairman.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $20,500,000, as authorized by section 234 of the Foreign Assistance Act of 1961 to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: *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 such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2000 and 2001: *Provided further,* That such sums shall remain available through fiscal year 2008 for the disbursement of direct and guaranteed loans obligated in fiscal year 2000, and through fiscal year 2009 for the disbursement of direct and guaranteed loans obligated in fiscal year 2001: *Provided further,* That in addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account: *Provided further,* That funds made available under this heading or in prior appropriations Acts that are available for the cost of financing under section 234 of the Foreign Assistance Act of 1961, shall be available for purposes of section 234(g) of such Act, to remain available until expended.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $44,000,000, to remain available until September 30, 2001: *Provided,* That the Trade and Development Agency may receive reimbursements from corporations and other entities for the costs of grants for feasibility studies and other project planning services, to be deposited as an offsetting collection to this account and to be available for obligation until September 30, 2001, for necessary expenses under this paragraph: *Provided further,* That such reimbursements shall not cover, or be allocated against, direct or indirect administrative costs of the agency.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other

purposes, to remain available until September 30, 2000, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, basic education, assistance to combat tropical and other diseases, and related activities, in addition to funds otherwise available for such purposes, $680,000,000, to remain available until expended: *Provided*, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health and nutrition programs, and related education programs, which address the needs of mothers and children; (4) water and sanitation programs; (5) assistance for displaced and orphaned children; (6) programs for the prevention, treatment, and control of, and research on, tuberculosis, HIV/AIDS, polio, malaria and other diseases; and (7) up to $98,000,000 for basic education programs for children: *Provided further*, That none of the funds appropriated under this heading may be made available for nonproject assistance for health and child survival programs, except that funds may be made available for such assistance for ongoing health programs.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio:

Page 7, line 10, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 27, line 6, after the first dollar amount, insert the following: ''(reduced by $5,000,000)''.

Mr. BROWN of Ohio. Mr. Chairman, I ask for my colleagues' support for this amendment which I introduced with my distinguished colleague from Maryland (Mrs. MORELLA). I also especially want to thank both the gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, and the gentlewoman from California (Ms. PELOSI), the ranking member, for their untiring devotion on this issue this evening and consistently over their careers to eradicating infectious diseases and alleviating global poverty.

Mr. Chairman, even though tuberculosis is an easily preventable and curable disease, it is one of the leading infectious killers in the world. The World Health Organization estimates that if left unchecked, TB could kill more than 70 million people around the world in the next 2 decades, while simultaneously infecting nearly 1 billion more.

Mr. Chairman, TB is already the leading killer of HIV positive individuals. It kills more women than any other cause of maternal mortality. TB remains a vicious killer, despite the fact that this disease is both preventable and curable. In fact, TB will kill more people this year than any other year in history.

This amendment is simple and straightforward. It would reduce fiscal year 2000 funding for the International Military Education and Training Program from $50 million to $45 million, and increase fiscal year 2000 Child Survival and Disease funding from $680 to $685 million.

Mr. Chairman, it is our intent that this $5 million will be added to TB prevention and treatment programs, which are woefully underfunded at $30 million, $20 million less than the government plans to spend on training foreign military officials in the United States.

The WHO has warned that poorly managed TB treatment programs, caused by a lack of sufficient funding, are causing drug-resistant strains of tuberculosis to emerge which, in all likelihood, would render TB incurable.

Inadequate funding for TB programs in many countries, because the proper series of boosters are not administered, is creating a super strain of the virus that does not respond to treatment.

□ 1945

Already 50 million people are estimated to be infected with multi-drug-resistant TB. It can be spread just by coughing, and with international travel, none of us is safe from it.

Even in the U.S. and other industrialized nations, this super strain of tuberculosis kills half of the people infected. That is a national security concern. We can predict a coming plague, and are doing, for all intents and purposes, almost nothing to stop it.

Internationally, TB is a huge economic and social drain on economies. It kills 2 to 3 million adults. It plunges families into poverty and orphans millions of children.

Gro Brundtland, the Director General of the WHO, has said, ''Our greatest challenges in controlling tuberculosis are political rather than medical.''

The World Health Organization has further stated that we are at ''a crossroads in TB control.'' It can be a future of expanded use of effective treatment and the reversal of this epidemic, or it can be a future in which multi-drug-resistent TB increases, millions more die, and millions become ill.

Mr. Chairman, this amendment is an important step in our efforts to once and for all consign tuberculosis to the same trash heap as other eradicated diseases, like smallpox. While this bill contains $30 million to fight TB in the coming year, thanks in large part to the leadership of the gentleman from Alabama (Mr. CALLAHAN) and the gentlewoman from California (Ms. PELOSI), this amount is not enough to control one of our planet's greatest killers.

The Brown-Morella amendment will boost tuberculosis prevention funding and treatment funding by nearly 17 percent, and sends a message to the most desperate people in the world that we hear their plight and we will come to their assistance.

I urge its adoption.

Mrs. MORELLA. Mr. Chairman, I rise in support of the modified Brown-Morella amendment to increase funding for combatting tuberculosis. I want to particularly thank the gentleman from Ohio (Mr. BROWN) for initiating this amendment, and I am very honored to join with him in presenting it.

I also want to comment on the fact that the gentleman from Alabama (Chairman CALLAHAN) and the ranking member, the gentlewoman from California (Ms. PELOSI), have worked very hard in this area, on this particular bill.

I do not know how many of us are aware that even though tuberculosis is an easily preventable and 100 percent curable disease, that it has become the leading infectious killer in the world, accounting for more than 3 million deaths per year. More than one-third of the world's population is infected with TB.

It is the leading killer of women, surpassing all causes of maternal mortality and creating more orphaned children than any other infectious disease. TB is the leading killer of HIV-positive individuals, causing over 30 percent of AIDS deaths. TB already kills more people than AIDS, malaria, and tropical disease combined, and it will kill more people this year than any year in history.

While TB is a particularly serious threat abroad, it is also a major public health concern at home. Perhaps no infectious disease is as extensive and as devastating as TB. Every year, in addition to the deaths from TB of 3 million people, 8 million become sick and at least 30 million become infected globally. TB is the leading infectious killer of youth and adults in the world, and it devastates the incomes and the futures of millions of families at the same time.

As the number of TB cases has increased, a multi-drug-resistant form has emerged that poses a major public health threat in the United States and around the world. In fact, if this development is allowed to go unchecked, it threatens to make TB incurable again.

Here in the United States, 15 million people carry TB bacteria, although these people are not ill. TB is highly contagious, and with the increase in global travel and migration, it is not possible to eliminate TB in the United States if it is allowed to spread unchecked in other parts of the world.

The funding increase which we propose will strengthen our efforts to combat the spread of this deadly disease. I certainly want to thank the chairman, the gentleman from Alabama (Mr. CALLAHAN), and the ranking member, the gentlewoman from California (Ms. PELOSI), for considering this amendment.

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

Mr. BEREUTER. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, as the vice chairman of the Committee on International Relations, I rise in very strong opposition to the amendment offered by the gentleman from Ohio (Mr. BROWN) and the gentlewoman from Maryland (Mrs. MORELLA). These are people that I

truly respect and appreciate, and nothing could detract from the value of what they are trying to do, except from where they are taking the money.

Not one word was said about the reduction of the $10 million, now $5 million, in the IMET fund. I am surprised, actually, at my colleague, the gentleman from Ohio (Mr. BROWN) on the Committee on International Relations, because I know that he understands how important this money is.

I would say that this is the best money that the Defense Department spends when it comes to foreign policy, and it probably ranks up there on the top of what we spend in any department for impacting foreign policy favorable to the United States of America. I really hate to see the money taken from this account.

Mr. Chairman, the bill before us actually freezes the IMET account at last year's level of $50 million, which of course in real dollars represents a cut. The administration had requested a $2 million increase.

Secretary Perry, our former Secretary, felt so strongly about the impact of IMET he came up to the Hill and devoted an entire breakfast speech before Members of the House supporting additional funds for IMET, and certainly Secretary Cohen feels the same way about it. I just think this is a very, very unfortunate place to take the money. As I said, not one word is mentioned where the money is being taken from for a very valuable purpose that our colleagues are suggesting.

IMET encourages mutually beneficial relations and increases the understanding between the United States and foreign countries in furtherance of the goals of peace and security. Furthermore, IMET increases the awareness of nationals of foreign countries through courses that foster greater respect for and understanding of the principles of civilian control of the military, and contributes to improved military justice systems and procedures in accordance with internationally recognized human rights.

Indeed, we are fortunate that so many formerly authoritarian countries are transitioning to democracies. As a result, there is an even greater need for IMET type programs which help support and accelerate positive military forms. Unfortunately, due to our own budgetary constraints, we cannot expand IMET to meet the demand. We certainly should not cut it further. IMET programs are modest.

For example, the United States provided $425,000 in IMET funding to Mongolia last year. Mongolia is an often overlooked success story. Less than a decade ago it was a closed Soviet satellite with its military directly linked to Soviet command structure. Today Mongolia is a successful democracy and partner of the United States.

However, just as the Mongolian political system has undergone radical positive changes in its transformation from a Communist Soviet satellite, so, too, must Mongolia's military. IMET is a very modest but successful program that, for example, aids the Mongolian military in this challenging transition.

The effectiveness of this program would be severely undercut if it were to incur the kinds of cuts, even small by some people's indication, but it is one-tenth of the money that is proposed by the Brown-Morella amendment.

Mr. Chairman, this Member is sympathetic, of course, to the concerns and the places where they would spend the money. However, given the budget allocations for the bill, the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations has done a very responsible and commendable job of carefully balancing the allocation of scarce funds.

Given the needs and successes of the IMET program, this Member is opposed to any further cuts like this one, especially this 10 percent cut, and supports the careful balance of the bill. I urge rejection of the Brown-Morella amendment.

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

Mr. Chairman, we accept the amendment.

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

Mr. Chairman, we concur with the acceptance of our distinguished chairman, and commend the gentleman from Ohio (Mr. BROWN) and the gentlewoman from Maryland (Mrs. MORELLA) for their leadership on this amendment.

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

Mr. Chairman, I will not use anywhere close to the 5 minutes, because clearly everybody is ready to move on. But I want to rise in support of the Brown-Morella amendment, and commend the gentleman from Ohio (Mr. BROWN) and the gentlewoman from Maryland (Mrs. MORELLA) for bringing this amendment forward.

We should strengthen efforts to fight worldwide diseases wherever it is possible, and TB is one which we thought had been eradicated. Practically, it had been eradicated within this country until suddenly it came on the rise, in particular in relation to the HIV-AIDS crisis.

Of course, in other parts of the world TB had not been anywhere close to eradicated. Now it is raging, as HIV-AIDS becomes more prominent in other places. Around the world, TB does kill some 3 million people per year, but it is particularly a major factor in AIDS deaths, in its association with AIDS, where the degraded immune systems that are caused by the HIV-AIDS virus end up leaving the individual particularly vulnerable to TB. It is a particular danger to children everywhere.

In the committee report it says, ''The committee notes the threat to the United States from this disease due to international travel and immigration.'' So I concur in moving $10 million to the TB control as representing a right policy for this country and for this Congress. It will help the U.S. to stop TB from killing people around the world.

Mr. FARR of California. Mr. Chairman, I rise with reluctance to speak, not so much against the intent of my good friend Mr. BROWN's amendment, but to make sure my colleagues know that this offset is from another worthy program.

The $5 million that Mr. BROWN would designate for tuberculosis activities comes at the expense of a highly successful democracy building program, the International Military Education Training program. I am familiar with this program through the Center for Civil-Military Relations, located in my district, that helps new democracies strengthen civilian control of their military forces.

This program, with a proven record of successful democracy building, helps emerging democracies learn from U.S. civilian and military teachers why civilian leadership of their militaries will further their democratic objectives.

The courses the Center for Civil-Military Relations teaches are congressionally mandated: Democratic Civilian Control of Military Forces; Human Rights; and Defense Resources Management.

The investment is modest—only slightly more than $1 million a year.

The impact is far-reaching—18 seminars a year, with approximately 50 students in each week-long seminar, teaching democratic principles to an average of 1,000 students a year—students who are leaders in their country, both military and civilian.

Some of the successful examples of programs the Center taught in Fiscal Year 1999 include:

South Africa—the military leaders of South Africa asked the Center for assistance in integrating their Department of Defense, not along racial lines, but along civil-military lines.

Russia—the Center assisted the Russians in developing an All-Volunteer Force concept.

Guatemala—after 3 programs involving Center staff, Guatemala has developed Master's-level university courses on democratic civilian control and civil-military relations.

Argentina—this country requested the Center to conduct a seminar on democratic civilian control of military intelligence. This year the Center will continue the dialogue by presenting a seminar on relations between the military and the legislature.

The Center, both formally and informally, has facilitated the entry of the Czech Republic, Poland and Hungary into NATO and continues to facilitate the ''intellectual interoperability'' of other NATO aspirants.

The vote before us is about tough choices.

The account designated in Mr. BROWN's amendment has already received an increase in this year's budget.

I am asking my colleagues to make a tough choice—preserve one of the most cost-effective foreign assistance programs in the federal budget. Oppose the Brown amendment.

Mr. FARR of California. Mr. Chairman, I rise with reluctance to speak, not so much against the intent of my good friend Mr. BROWN's amendment, but to make sure my colleagues know that this offset is from another worthy program.

The $10 million that Mr. BROWN would designate for tuberculosis activities comes at the expense of a highly successful democracy building program.

The Center for Civil-Military Relations, located in my district, assists new democracies strengthen civilian control of their military forces.

Let me reiterate that this program, with a proven track record of successful democracy building, helps emerging democracies learn from U.S. civilian and military teachers, why civilian leadership of their militaries will further their democratic objectives.

The courses the Center for Civil-Military Relations teaches are congressionally mandated: Democratic Civilian Control of Military Forces; Human Rights; and Defense Resources Management.

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South Africa—the military leaders of South Africa asked the Center for assistance in integrating their DOD, not along racial lines, but along civil-military lines.

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The vote before us is about tough choices.

The account designated in Mr. BROWN's amendment has already received an increase in this year's budget.

I am asking my colleagues to make a tough choice—preserve one of the most cost-effective foreign assistance programs in the federal budget.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

The amendment was agreed to.

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

Mr. Chairman, I would like to bring to the attention of the Committee and particularly to our chairman, the gentleman from Alabama (Mr. CALLAHAN), a matter of importance to many American citizens. That is property claims in Nicaragua.

As I know the gentleman from Alabama (Mr. CALLAHAN) well knows and I know many members of the committee do, Nicaragua has been the focus of much attention recently. Last year it, along with Honduras, was hit with Hurricane Mitch, and the United States responded with humanitarian aid. Before that it was hit with revolution and civil war.

The United States responded positively to its turn towards democracy earlier this decade. As a democratic nation, we ask Nicaragua to heal the wounds of its civil war, revive its economy, and provide justice to those victimized by the repressive policies of the 1980s, including justice for those who had their homes, businesses, and livelihoods taken.

In many areas, Nicaragua has made positive strides. This we applaud. There is one area, however, in which we need to do more, and most importantly, Nicaragua needs to do more. That is the resolution of the property claims of American citizens. Some of these citizens have endured lengthy legal battles to regain what was taken from them.

Nicaragua needs investment and economic development, but more than natural disasters have hindered Nicaragua's development. Man-made decisions have been that country's greatest impediment to economic growth; namely, the failure of the Nicaraguan government to take the necessary steps to provide economic security and return wrongfully taken properties to their rightful owners.

Each year the President must determine that Nicaragua is making progress in resolving property claims if it is to continue receiving bilateral U.S. aid, and each year since 1994 Nicaragua has been determined to meet the standards of U.S. law.

I raise this because existing U.S. law has not helped the claimants, who cannot occupy their properties, or those American citizens struggling with the obstructionism of the Nicaraguan state entity, which has the specific responsibility to privatize state-owned properties and enterprises. Nor does existing U.S. law help a third class of claimants, those who have struggled through Nicaragua's court system and won judgments against the government for its illegal property takings.

In two cases involving 28 American claimants, the Supreme Court of Nicaragua has ruled against the government and in favor of the Americans. The Nicaraguan government acknowledges that it owes these Americans. But has yet to either compensate them, as ordered by the court, or to negotiate seriously with them on a compensation schedule.

Mr. Chairman, I would request that if the Nicaraguan government does not resolve these cases by the time the chairman's committee considers funding for next year, that we consider conditioning the aid to Nicaragua on progress in resolving these claims.

Joining me in this is the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding to me.

I would just like to say to the chairman that for the past several years there have been commitments by the government of Nicaragua that they would try to make restitution for what the Sandinistas took away from people down there during the Sandinista regime. They have kind of reneged on that. President Aleman and his administration recently has told some of the people who have had their property stolen that the only way they are going to get restitution was to go to court.

I know of one case where they did go to court. It was carried all the way to the Nicaraguan Supreme Court, not once but twice. Even though the Supreme Court agreed there should be a settlement made and gave a monetary settlement figure, the government still would not pay these people who had a legitimate claim, and the Supreme Court agreed with them. They tried to convince some Members of Congress who are interested in this that there was corruption at the Supreme Court in order to try to sidestep their responsibility.

So I join my colleague, the gentleman from Florida, in saying that I hope that he as chairman will send a very strong message to President Aleman and the government of Nicaragua that they should make proper restitution to these people, and adhere to their own Supreme Court's decisions.

Mr. MCCOLLUM. If they do not, if I may reclaim my time, I would hope that the chairman would consider next year making some conditions in the next appropriations cycle if they do not pay these claims.

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Mr. CALLAHAN. Mr. Chairman, I share the concerns of the gentleman from Florida (Mr. MCCOLLUM), and I certainly want to do that. I imagine next year or the year after next President Aleman will certainly recognize that, if something is not done, that then Senator MCCOLLUM will force it upon him. I think he will recognize the political danger he has in denying American investors their due rights.

So we certainly will work with the gentleman from Indiana to continue to insist that the Nicaraguan government acts more promptly to ensure that these American investors are compensated accordingly.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman from Florida yield?

Mr. MCCOLLUM. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I would like to say to the gentleman I really appreciate that, and I hope that President Aleman and his finance minister heard what the chairman said tonight; and that is, if they do not start doing what they have said they would do, that the chairman would take this into consideration next year when the appropriations process takes place.

Mr. MCCOLLUM. Mr. Chairman, reclaiming my time, I echo that. I want to thank the gentleman from Alabama (Chairman CALLAHAN) for his words to encourage that right action by the government in Nicaragua. It has been long overdue. We really do need something to move here. There is something wrong. It should have happened long before now.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 7, line 10, after the dollar amount insert ''(increased by $10,000,000)''.

Page 7, line 25, add at the end before the period the following: '': *Provided further*, That of the funds appropriated under this heading, $25,000,000 shall be made available for assistance for prevention and treatment of HIV/AIDS in sub-Saharan Africa''.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Alabama reserves a point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first of all, I want to acknowledge the chairman and ranking member of the committee for their leadership and for their perseverance on an issue that has been with us for a long time but has risen to the level of immense devastation in sub-Saharan Africa, and as we have learned over the past months and years, moving to India and China as the next locations of this devastation of HIV/AIDS.

I also recognize that we are constrained by the limits of the appropriations process. I think it is disappointing that we are in this very large Nation relegated to allocating 1 percent of our budget to foreign aid, in particular when the American people would be willing to give more.

But I rise to offer this amendment to H.R. 2606, to increase funding by $25 million and direct this funding to address the issue of HIV/AIDS in sub-Saharan Africa. With 33 million infected people in the world, 22.5 million in sub-Saharan Africa, it is clear that we must dedicate money directly to sub-Saharan Africa although we have identified and appropriated monies for global prevention and reduction programs.

Of the 5.8 million adults and children newly infected with HIV during 1998, 4 million live in sub-Saharan Africa. AIDS in sub-Saharan Africa is a growing disaster. UNAIDS has declared HIV/AIDS in Africa an epidemic out of control. Each and every day, Mr. Chairman, more than 16,000 additional people become HIV positive; and most live in sub-Saharan Africa where, in South Africa alone, 1,500 people become HIV positive each day.

Among children under 15, the proportion is 9 out of 10, and the amendment would speak to dealing with children's diseases. To date, 83 percent of all AIDS deaths have been in the region; and at least 95 percent of all AIDS orphans have been in Africa. It is estimated that, by the year 2010, AIDS will orphan more than 40 million children, with 95 percent in sub-Saharan Africa.

I have seen firsthand the impact of the HIV/AIDS pandemic in Africa. My participation as part of the Presidential Mission solidified my position that our foreign policy with Africa must include the realization that Africa is struggling with the AIDS devastation and must provide additional AIDS prevention funding as well as funds to deal with the large numbers of children whose family members have died from this merciless killer. As we move into the 21st Century, we must realize that AIDS will have a tremendous impact on the continent of Africa, as well as the world.

I am gratified this House passed the African Growth and Opportunities Act. In that trade bill, there was acknowledgment of the impact of AIDS on the economy of Africa. The AIDS epidemic quickly transcends simply a health issue. It is quickly becoming a detriment to economic growth.

According to the Economist, a recent study in Namibia estimated that AIDS costs the country almost 8 percent of GNP in 1996. Another analysis predicts that Kenya's GNP will be 14.5 percent smaller in 2005 than it would have been without AIDS and the per capital income will be 10 percent lower. A report released by the World Bank begged the questions, will this pandemic destroy the developing Nation's hard-earned economic gains, or will governments get their act together in time? Clearly time is running out.

As I said as I began my statement in explanation of this amendment I wish to offer, I do appreciate the great strides that the Committee on Appropriations has made, particularly this subcommittee, and the leadership of the committee.

But there are no boundaries to the effects of this epidemic. A South African anti-crime institute has linked the growing number of children orphaned by AIDS to future increases in crime and civil unrest. Without appropriate intervention, many of the 2 million children projected to be orphaned by AIDS in South Africa will raise themselves on the streets, often turning to crime, drugs, commercial sex, and gangs for survival and, sadly, increasing their risk of AIDS.

While in Africa, I visited St. Anthony's compound in Zambia where many affected families were headed by grandparents who were caring for their grandchildren, orphaned by the disease.

The AIDS epidemic has been labeled by some in the medical community as a disease equal to the plagues of earlier times. This is most disconcerting, but it is not hopeless. We have the power to fix this.

Uganda is out front in developing policies to combat the AIDS epidemic. They have enacted various education and AIDS programs. The U.S. invested the $40 million in HIV prevention in Uganda, and HIV rates among pregnant women dropped from 30 percent in 1991 to 15 percent in 1995 to 8 percent in 1998.

I would ask my colleagues, although a point of order has been reserved, to consider the need that we have. If we cannot move forward on this amendment, I would certainly hope that we might have the opportunity to look at this question as we move in the appropriations process in future years, and I will work with my colleagues to solve and to bring to an end this terrible devastation.

The CHAIRMAN. Does the gentleman from Alabama (Mr. CALLAHAN) continue to reserve his point of order?

Mr. CALLAHAN. Yes, Mr. Chairman.

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the amendment but, again, the proposed use of funds by the gentlewoman from Texas (Ms. JACKSON-LEE) is entirely salutary and commendable.

I spoke a few minutes ago against the Brown-Morella amendment because it was taking money out of the IMET program, the same IMET program that provides training to the military officers and men of the reserves that the gentlewoman from Texas mentioned and to South Africa where they are trying to encourage promotion of black officers in the South African military.

I just want my colleagues to know that the IMET fund is a not a slush fund that can be drawn down or slashed from for every good purpose. I will energetically do what I can to keep the conference from reducing the IMET funds because it is so valuable.

I stipulate all my arguments that I gave on the Morella-Brown amendment to also apply as here on the amendment by the distinguished gentlewoman from Texas.

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

Mr. Chairman, I am hopeful that the gentlewoman from Texas (Ms. JACKSON-LEE) will withdraw her amendment before I insist on a point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, as I noted in my remarks, I am appreciative of the work that has been done by this committee.

I feel compelled and committed to raise this issue as often as we can. I would hope that this amendment could have been made in order.

I will now withdraw the amendment and hope and look forward to working with my colleagues, one, to increase the amount of foreign aid that we give; and then, two, to be able, then, to add more dollars to what I consider one of

the major epidemics, pandemics that we have facing us today.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of sections 103 through 106, and chapter 10 of part I of the Foreign Assistance Act of 1961, title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533) and the provisions of section 401 of the Foreign Assistance Act of 1969, $1,201,000,000, to remain available until September 30, 2001: *Provided,* That of the amount appropriated under this heading, up to $5,000,000 may be made available for and apportioned directly to the Inter-American Foundation: *Provided further,* That of the amount appropriated under this heading, up to $14,400,000 may be made available for the African Development Foundation and shall be apportioned directly to that agency: *Provided further,* That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further,* That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes), (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to (A) an individual in exchange for becoming a family planning acceptor, or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning, (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services, (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method, (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate, a report containing a description of such violation and the corrective action taken by the Agency: *Provided further,* That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further,* That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further,* That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further,* That, notwithstanding section 109 of the Foreign Assistance Act of 1961, of the funds appropriated under this heading in this Act, and of the unobligated balances of funds previously appropriated under this heading, $2,500,000 may be transferred to ''International Organizations and Programs'' for a contribution to the International Fund for Agricultural Development (IFAD): *Provided further,* That none of the funds appropriated under this heading may be made available for any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES): *Provided further,* That, of the funds made available by this Act for the ''Microenterprise Initiative'' (including any local currencies made available for the purposes of the Initiative), not less than 50 percent of the funds used for microcredit should be made available for support of programs providing loans of less than $300 to very poor people, particularly women, or for institutional support of organizations primarily engaged in making such loans.

PRIVATE AND VOLUNTARY ORGANIZATIONS

None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: *Provided,* That the Administrator of the Agency for International Development may, on a case-by-case basis, waive the restriction contained in this paragraph, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

Funds appropriated or otherwise made available under title II of this Act should be made available to private and voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $200,880,000, to remain available until expended: *Provided,* That of the funds appropriated under this heading, not more than $35,000,000 shall be made available for activities carried out by the Office of Transition Initiatives, except that this amount may be exceeded subject to the regular notification procedures of the Committees on Appropriations.

MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM ACCOUNT

For the cost of direct loans and loan guarantees, $1,500,000, as authorized by section 108 of the Foreign Assistance Act of 1961, as amended: *Provided,* That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That guarantees of loans made under this heading in support of microenterprise activities may guarantee up to 70 percent of the principal amount of any such loans notwithstanding section 108 of the Foreign Assistance Act of 1961. In addition, for administrative expenses to carry out programs under this heading, $500,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: *Provided further,* That funds made available under this heading shall remain available until September 30, 2001.

URBAN AND ENVIRONMENTAL CREDIT PROGRAM ACCOUNT

For administrative expenses to carry out guaranteed loan programs, $5,000,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the ''Foreign Service Retirement and Disability Fund'', as authorized by the Foreign Service Act of 1980, $43,837,000.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, $479,950,000.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, $25,000,000, to remain available until September 30, 2001, which sum shall be available for the Office of the Inspector General of the Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, $2,227,000,000, to remain available until September 30, 2001: *Provided,* That of the funds appropriated under this heading, not to exceed $960,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within thirty days of enactment of this Act or by October 31, 1999, whichever is later: *Provided further,* That not to exceed $735,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further,* That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not

cause an adverse impact on the total level of nonmilitary exports from the United States to such country.

AMENDMENT OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL:

Page 15, line 7, after the dollar amount insert ''(reduced by $30,000,000)''.

Page 15, line 11, after the dollar amount insert ''(reduced by $20,000,000)''.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Alabama reserves a point of order.

Mr. CAMPBELL. Mr. Chairman, the amendment is very simple, as it is important. Here it is. We spend too much money in foreign aid on two countries. There is every other country in the world where we spend foreign aid where it can do so much good, and we spend over 20 percent of the entire economic component of foreign aid in Israel and Egypt.

I do not think that is right. I just do not think that is consistent with the compassion of the American people who would rather see the money go a little bit more fairly, a little bit more to the other countries in the world.

So what I propose is a very small cut. $960 million is the economic component of the aid to Israel in this bill, and I suggest that it be dropped by $30 million. $735 million is the amount of money for Egypt, and I suggest that it be dropped by $20 million.

That is a 3 percent cut roughly speaking. Bearing in mind that 20 percent of the entire amount of economic aid goes to these two countries and that it would mean so much to the other countries in the world who are getting such little amount in this bill, and every year gets such little amount of our foreign aid money, I believe it is what the American people would do if they were empowered to do it. If my colleagues' average person they represent was here to tonight, that is what she or he would do I believe.

Let me break it down in per capita. Again, I am just talking about economic aid, not the military side. I understand that is different. I support military aid to Israel.

But if we just break the economic money down, it is $170 per capita for every person in Israel. It is $32 per capita for every person in Egypt. It is $2.05 for every soul in sub-Saharan Africa. That is not right. It is $1.20 for every soul in Latin America. It is 17 cents for every person in India. It is $170 for every person in Israel and $32 for every person in Egypt.

Where do I come up with the number to cut by 30 for Israel and 20 for Egypt? Because the President had recommended those numbers. So it is a small cut. It might not matter very much to those two recipients; but to the other countries, it will make a huge amount of difference.

I want to close just by commenting what I have seen. My wife, Susanne, and I have traveled to sub-Saharan Africa, poorest countries of the world, as often as we can since I have returned to Congress. I have seen a few dollars spent for a water pump in Mali. I have seen a few dollars of our tax money spent for a sewing machine so somebody could get a job, microenterprise in Morocco. I saw some money for saving children who would otherwise be cast aside as albinos in Senegal.

I saw women, Somali women in refugee camps in Kenya packed to the top who wanted to get a little firewood so they would not have to go out at night because they were subject to rape when they went out at night. Now, that is where our money could go.

For the sake of compassion and for the sake of fairness, I ask that we move $30 million from Israel, which received so much of our aid, $20 million from Egypt, which received so much of our aid, and just let it flow to the other countries, particularly in Latin America, sub-Saharan Africa, and India.

Mr. CALLAHAN. Mr. Chairman, I withdraw my reservation, but I rise in opposition to the amendment.

Mr. Chairman, with respect to the amendment offered by the gentleman from California (Mr. CAMPBELL), let me say that he makes some very interesting statistical and comparable monetary indications of how much this might mean to sub-Saharan Africa.

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But let me remind the gentleman, and my request to him is to withdraw the amendment, that in offering the amendment he gives no credit to the hard work that this committee has done and that this administration has done recognizing the need to reduce our assistance to Israel.

Two years ago, we worked with then Prime Minister Netanyahu to wean Israel from total economic assistance. President Netanyahu, suffering I think very serious political consequences, agreed with this subcommittee and with me that we should begin the decline of assistance to Israel, and we started that last year by reducing the economic support by $120 million. And in accordance with the agreement, we have further reduced it another $120 million this year, the first time in the history of this Congress that we have ever done so.

Yet here at the late hour of this night, along comes the gentleman from California and says to us, to members of the subcommittee, to Members of the Congress, that he does not think we have done enough. Well, I think we have done enough.

Just last week, the President and the new Prime Minister Barak agreed to the Callahan plan of total elimination of economic support to Israel over a period of the next 8 years. And I think that is a very responsible way in which to handle this decline in economic assistance to Israel. It is the responsible way to do it. It is a recognition of accomplishment that our economic assistance to Israel has worked; that they are now becoming economically independent.

But for the gentleman from California, at this late hour of the night to bring up this kind of amendment, and to use the type of comparisons the gentleman is using, I think is disrespectful to the subcommittee and to the Congress. Because we already have addressed this issue, we have addressed it in a responsible manner, and to put this issue on the table on the eve of the new administration in Israel, when they are trying to work towards some accomplishment over the Wye agreement, I think is the wrong message.

So I would respectfully ask that the gentleman withdraw his amendment, and short of that, I would urge the Members of this body to vote ''no.''

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

I would like to first respond to my good friend, the chairman of this committee, the gentleman from Alabama (Mr. CALLAHAN), who indeed expressed so eloquently the hard work of this committee to change the formula and to do it fairly so that we could move forward in reducing economic aid to Israel and increasing the military aid. And I would say that most of my colleagues would agree that the investment in military aid in that region of the world is in our interest.

So I would like to congratulate the chairman again in forging that agreement with the former prime minister of Israel. And in discussing this agreement with the current prime minister of Israel, there has been total support.

I would just like to say to my good friend, the gentleman from California (Mr. CAMPBELL), that I share his concerns; and I would join the gentleman in working to enlighten our colleagues and work with this administration in increasing aid to the other parts of the world that need it so desperately.

In fact, I have said over and over again that it is an embarrassment that we do not pay our U.N. arrears, even though that does not come out of this particular budget. It is an embarrassment that with all the problems in every part of the world that we are behind about a billion dollars in our U.N. dues. So I would join the gentleman.

But I would say to the gentleman, at this time we are on the verge, on the brink, of seeing a real peace. The new prime minister, Prime Minister Barak, has been making every effort to move forward, to meeting with the other parties of the region to try to forge a real peace so that in our lifetime all of our investments and our commitment to that region of the world as a result of Camp David can become a reality. So it seems to me, and I agree with our distinguished chairman, this is not an opportune time to change the formula that has been very carefully crafted; that we should work together so we can see a real peace in the Middle East.

And, again, I would say to the gentleman from California that I would join the gentleman in increasing aid to other parts of the world. We know of the real problem, the people who are in distress. And as the leader of the free world, at a time when our leadership is acknowledged, when there are problems with disease and problems of inadequate education and health care, we could make an additional difference.

So I hope we can work together and increase our assistance to other parts of the world, but not change this formula while we are at a moment of a breakthrough in the peace agreement.

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

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

Mr. BENTSEN. Mr. Chairman, I rise in opposition to the amendment of the gentleman from California. This is a bad idea for a number of reasons.

First of all, this is a negotiated amount of funds. This is not a discretionary set of funds. And while the gentleman makes some interesting arguments about comparing what this would mean in per capita terms from one country versus Israel, I do not know that we can measure it quite that statistically.

This, as I said, is a negotiated amount. It goes back to the Camp David Accords. It also goes back to the more recent Wye River Accords. But perhaps most importantly, and I think the gentlewoman from New York was just discussing this, we have a new government in Israel which we have a strategic partnership with that has really only been in place for about 30 days. I think even as small a cut as the gentleman proposes undercuts the U.S. commitment to having the Barak government succeed in its effort in bringing peace to the region.

So I think while the gentleman is well intentioned in his goals, I think it is an amendment that would send the wrong message on the part of the United States and our commitment to Israel and our commitment to peace in the Middle East and in particular our commitment to seeing the Barak government succeed, and for that reason I oppose the amendment.

Mr. Chairman, I rise in support of this legislation, and the bill's provision to provide $3 billion in aid to Israel.

Since its founding in 1948, Israel and the U.S. have shared an important economic and strategic partnership. For more than 50 years, Israel has stood with the U.S. in countering the greatest threats to American interests in the region, including the proliferation of weapons of mass destruction and state-sponsored terrorism by rogue regimes.

Israel has also been a reliable strategic partner, providing the United States with cutting-edge technology and valuable intelligence. Israel was the first country to sign a free trade agreement with the United States, which has resulted in a quadrupling of trade between the two countries. As Israel's economy continues to grow, the United States will continue to benefit from the wide-ranging economic partnership enjoyed by the two countries. The United States-Israel partnership has also been cost-effective, avoiding the expensive deployment of American troops. No United States troops have ever been required to protect Israel, while by comparison America maintains 135,000 troops in Europe and spends roughly $80 billion each year on the defense of Europe.

Thanks to the United States involvement in the Middle East peace process, Israel has been able to make significant advancements toward establishing peaceful relations with her Arab neighbors. With the election of Prime Minister Ehud Barak in May 1999, the search for peace in the Middle East appears to have taken meaningful steps forward. In the days following his election, Mr. Barak displayed his commitment to the peace process through his talks with Egyptian President Mubarak, and the formation of a 'peace administration' of three negotiating teams, one each for Syria, Lebanon, and the Palestinians. In the 3 weeks since he's taken office, Mr. Barak has actively negotiated with Palestinian Authority Chairman Arafat in attempt to secure a permanent peace deal to determine Israel's borders, the future of Jerusalem, the fate of refugees, and the disposition of water resources. He has also begun negotiations with Syria regarding the status of the Golan Heights and the Hezbollah militia in southern Lebanon.

Prime Minister Barak understands that a negotiated peace is the best way to make Israel more stable and prosperous for the people of the Middle East. As the peace process moves forward, the U.S. must continue to support the principles of the Wye River agreement, including the land-for- peace commitments, cessation of terrorist aggression, and respect for existing peace agreements by all parties. While his Mr. Barak's progress has been encouraging, we should hold no illusions. The path ahead will be difficult and hold many hard decisions. As Israel takes these calculated risks for peace, the United States must continue to support Israel's defense. Part of that effort should be the final Congressional approval of an aid package that provides assistance to Israel, the Palestinian people and to Jordan as part of the implementation of the Wye River agreement. Making Israel stronger and making Palestinians and Jordanians more secure and more prosperous are all critical steps to building a just and lasting peace in the Middle East.

U.S. aid to Israel is one of America's most cost-effective foreign policy investments. The economic and military aid that America provides Israel serves the interests of both countries by promoting peace, security, and trade. I urge my colleagues to continue our support for Israel and to further our national interests by voting for this appropriations.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have great respect for my friend from California. We have worked together on many issues, including a number of international relations issues, and he has made an attractive argument. As he has visited sub-Sahara Africa, I have as well, and just got through offering an amendment dealing with HIV/AIDS. But I would simply say to the gentleman that as attractive as support for the microcredit is, and I frankly saw the enormous impact that the microcredit funding has, I am rising in opposition for, I think, two to three reasons.

One, I believe we should make good on our commitment, and I think it is important to note that we have made a commitment to support Israel as it has downsized on its receipt of foreign aid from the United States. I think the Wye River agreement is extremely important and goes to our bond and our standing in the international arena as relates to the Mideast, with Israel being the freestanding or one singular democracy there.

Then, I think that, hopefully, we do not have a situation where we pit one community or one part of the world against another. There is a great need in Africa, and I would like to see us collaborate, as I started out in my remarks, on HIV/AIDS. I would like to see the foreign aid increased. I think it would be a shame that a powerful, wealthy Nation like this, where the American people would be willing to support our international efforts at a higher rate than 1 percent, and maybe that number has been increased but that is what sticks in my mind, even as high as 5 percent, and maybe we can go higher, if we begin to juxtapose one needy area against another needy area for different reasons.

So for that reason, and though I respect the gentleman in his intent and, in fact, look forward to working with the gentleman to find funds to increase those opportunities in sub-Sahara Africa, I would oppose his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

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

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 263, further proceeding on the amendment offered by the gentleman from California (Mr. CAMPBELL) will be postponed.

The Clerk will read.

The Clerk read as follows:

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $19,600,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415): *Provided,* That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further,* That funds made available under this heading shall remain available until September 30, 2001.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $393,000,000, to

remain available until September 30, 2001, which shall be available, notwithstanding any other provision of law, for economic assistance and for related programs for Eastern Europe and the Baltic States.

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(c) None of the funds appropriated under this heading may be made available for new housing construction or repair or reconstruction of existing housing in Bosnia and Herzegovina unless directly related to the efforts of United States troops to promote peace in said country.

(d) With regard to funds appropriated under this heading for the economic revitalization program in Bosnia and Herzegovina, and local currencies generated by such funds (including the conversion of funds appropriated under this heading into currency used by Bosnia and Herzegovina as local currency and local currency returned or repaid under such program) the Administrator of the Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes, and prior to the use of funds that have been returned or repaid to any lending facility or grantee.

(e) The provisions of section 532 of this Act shall apply to funds made available under subsection (d) and to funds appropriated under this heading.

(f) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between Iranian officials and Bosnian officials has not been terminated.

(g) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapter 11 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $725,000,000, to remain available until September 30, 2001: *Provided,* That the provisions of such chapter shall apply to funds appropriated by this paragraph: *Provided further,* That such sums as may be necessary may be transferred to the Export-Import Bank of the United States for the cost of any financing under the Export-Import Bank Act of 1945 for activities for the Independent States: *Provided further,* That of the funds made available for the Southern Caucasus region, 17.5 percent should be used for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh.

(b) Funds appropriated under title II of this Act, including funds appropriated under this heading, may be made available for assistance for Mongolia: *Provided,* That funds made available for assistance for Mongolia may be made available in accordance with the purposes and utilizing the authorities provided in chapter 11 of part I of the Foreign Assistance Act of 1961.

(c)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 50 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases and child survival activities; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(d) Not more than 25 percent of the funds appropriated under this heading may be made available for assistance for any country in the region.

(e) Allocations for Georgia and for Armenia shall reflect a percentage of the amount appropriated under this heading that is at least equivalent to the percentage of the total funding available under this heading that was allocated for each nation in fiscal year 1999: *Provided,* That assistance under title V of the FREEDOM Support Act shall not be included in such calculations.

(f) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance including activities funded under the heading ''Child Survival and Disease Programs Fund''.

INDEPENDENT AGENCY

PEACE CORPS

For expenses necessary to carry out the provisions of the Peace Corps Act (75 Stat. 612), $240,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided,* That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further,* That funds appropriated under this heading shall remain available until September 30, 2001.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $285,000,000: *Provided,* That not more than $20,000,000 of the funds made available under this heading shall be available for anti-crime programs and that all such programs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That during fiscal year 2000, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations.

AMENDMENT NO. 8 OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. MICA: 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 Policy; (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.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MICA. Mr. Chairman, I thank the chairman, the gentleman from Alabama (Mr. CALLAHAN), for his great work on this distinguished piece of legislation, which I plan to support with minor modifications that can be made, I hope, through the amendment I offer tonight. The amendment that I have tonight asks for $37.5 million, and those funds would go towards providing anti-narcotics equipment to the Colombian National Police.

I chair the Subcommittee on Criminal Justice, Drug Policy and Human

Resources, and I can tell my colleagues that we have no greater threat facing our Nation right now in terms of our anti-narcotics effort and, really, national security than we have facing us with the situation with Colombia.

Some of my colleagues may know that we lost five servicemen, including a servicewoman this week, and in the last few days we have lost three civilians. This situation is getting incredibly worse in Colombia, our neighbor to the south. That is what makes this action tonight so important.

I will ask to withdraw this at some point and ask for consideration in conference, but we cannot make the same mistake that we have been making year after year in not providing equipment. This Congress has provided Black Hawk helicopters to the Colombians, but we are not providing the equipment for them to do the job. This amendment asks for 19 protection systems for Black Hawk helicopters and also for Huey helicopters that they have.

□ 2030

How can they fight a war against insurgence Marxist guerillas or an activity against those trafficking in illegal narcotics without this equipment? We have made the mistake of not providing the equipment.

This is a hearing from July of 1997. The gentleman from Illinois (Mr. HASTERT), who is now Speaker of the House, myself, others on the committee asked for equipment to get to Colombia. And that equipment has not gotten to Colombia.

The results are incredible. 800,000 people have been displaced since 1995. 35,000 Colombians have been killed in less than 10 years. In 1998, more than 300,000 Colombians were displaced internally. That is more than we had that same year in Kosovo.

My colleagues, we are going to have a situation that makes Kosovo look like a kindergarten playground if we do not get the equipment.

Just in the last 2 or 3 weeks, this administration has reversed its course and is now asking for intelligence to be shared. At this moment, I believe our drug czar is down in Colombia; and he has asked in the last 2 weeks for a billion dollars, which may require a supplemental.

So if we are providing the equipment to allow Colombians to stop this drug influx into their nation and trafficking and production in their nation and this insurgency, then I say we should help them with this little bit of assistance that we are asking for in this.

I might say that we had a visit from the national chief of police there who has been leading the drug war, and this is specifically in his request to the Speaker of the House and to our subcommittee. I might also say that these items are also requested by General McCaffrey, who is our Nation's drug czar.

So I plead and I ask the subcommittee, and I know they have done great work in putting together this legislation, to not make the same mistake that has been made year after year in not getting equipment to this country that is facing not only an internal crisis but we are facing a regional and hemispheric crisis with this situation.

Mr. CALLAHAN. Mr. Chairman, with the assurance that the gentleman is going to withdraw the amendment, I am going to withdraw my reservation of objection but, I move to strike the requisite number of words to speak in response to what the gentleman from Florida just said and to express to the gentleman from Florida that I too am concerned about this entire drug situation not only in Colombia but in all of Central and South America.

I am very appreciative of the extra effort that he has put in in bringing to the attention of the Congress and to the American people the tremendous problems we have in Colombia, of the tremendous problems we have in Mexico, and in other areas of Central and South America who are facilitating the exportation of drugs to the United States.

But I might remind my colleague that the bill we are debating tonight provides $285 million for the International Narcotics Control Account. This is an increase of $24 million above the regular 1999 bill and $70 million above the bill that just recently passed the Senate.

As my colleague knows, in the Omnibus Appropriations Bill last year, we put an additional $255 million for counternarcotics. There are no earmarks in this bill anywhere. But there is a sufficient amount of money appropriated to include Colombia and all areas of Central and South America in this counternarcotics program.

Mr. Chairman, I yield to the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman very much for yielding.

Mr. Chairman, I know what the chairman has done is extremely good in here, and I commend him for what is here. I also know what the gentleman from Florida (Mr. MICA) is attempting to do.

What I hope is, because of the Western Hemisphere Drug Elimination Act we passed last year, and the gentleman worked so much with us, we ought to take a $600 million overall that covered many of the subcommittee appropriations areas to do some of what was going to be $2 billion ultimately over 3 years.

In the legislation of my colleagues and in all of these appropriations bills in the House this year, we are not able under the current rules to meet the goals of that bill in what we are passing.

But much of this equipment, most of it that the gentleman from Florida (Mr. MICA) is asking for, was what was passed in that bill and what we wanted to see happen. And I am hopeful that in conference my colleague will be able to nudge up these numbers some. And perhaps there will even be a supplemental down the road. Because I know my colleague understands from our previous discussions how important this equipment is.

I serve as chairman of the Subcommittee on Crime, as my colleague knows, and on the Permanent Select Committee on Intelligence; and we really do need this equipment.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, we will try to increase it if we possibly can. Because this is a cancer on our society, and the only way we are going to be able to cure this cancer is to provide ample counternarcotics monies to do so.

Mr. FARR of California. Mr. Chairman, will the gentleman yield?

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

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just want to raise concern about the amendment. The amendment directs all the money to the Colombian police. The delegation that was here last week did not ask for money for the national police. It was for the armed services, for the armed forces. As my colleague knows, it is a very delicate situation in Colombia.

I think it would be ill-spent money to direct all of this earmarking and for specifics just for one entity in Colombia. I support the concerns of the chairman and recommendations, and I oppose the amendment the way it is drafted.

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

Mr. CALLAHAN. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I understand the concern of the gentleman.

But this is the testimony from 2 years ago, the gentleman from Illinois (Mr. HASTERT): ''But you are holding up their ammunition.''

We provided almost $300 million last year. And we have checked to see if the money is there in resources. Only a few million dollars have gotten to where it should go. The problem we have is in getting money. That is why this is an earmark.

I know the earmark is not acceptable under the regular order here. But I hope you can imagine the frustration we see. We appropriate money. The President is saying this is now the third biggest aid recipient in the world. And it is not getting there.

This request is part of our drug czar's request, and it is the head of the national police's request to do the job in Colombia that needs to be done to bring peace there and stop drug trafficking where we have 60, 70 percent of the heroin and cocaine now coming into the United States.

Mr. CALLAHAN. Mr. Chairman, I yield to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I just want to say two things.

First of all, we all agree that the drug problem is a terrible, terrible tragedy for our country. In addition to trying to do drug crop eradication, we must focus on treatment and prevention and to the end that we all share here.

But two points I want to make. One is, I was very concerned about the New York Times article this morning that talked about the war on drugs and the war against the rebels merging, because we have always talked about the war on drugs being a war on drugs in Colombia.

So I hope that, as we proceed, we do with great sensitivity to the human rights of the Colombian people.

The CHAIRMAN. The time of the gentleman from Alabama (Mr. CALLAHAN) has expired.

(By unanimous consent, Mr. CALLAHAN was allowed to proceed for 30 additional seconds.)

Mr. CALLAHAN. Mr. Chairman, I yield to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I thank the chairman for being so understanding and also considering this in conference.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $640,000,000: *Provided*, That not more than $13,800,000 shall be available for administrative expenses.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 260(c)), $30,000,000, to remain available until expended: *Provided*, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Migration and Refugee Assistance Act of 1962 which would limit the amount of funds which could be appropriated for this purpose.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism and related programs and activities, $181,630,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, section 504 of the FREEDOM Support Act for the Nonproliferation and Disarmament Fund, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA) and a voluntary contribution to the Korean Peninsula Energy Development Organization (KEDO), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That the Secretary of State shall inform the Committees on Appropriations at least twenty days prior to the obligation of funds for the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided further*, That of this amount not to exceed $15,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency.

DEPARTMENT OF THE TREASURY

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961 (including up to $1,000,000 for necessary expenses for the administration of activities carried out under these parts), and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, and concessional loans, guarantees and credit agreements with any country in Sub-Saharan Africa, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461); $33,000,000, to remain available until expended: *Provided*, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 to the extent that limitation applies to sub-Saharan African countries shall not apply to funds appropriated hereunder or previously appropriated under this heading: *Provided further*, That the authority provided by section 572 of Public Law 100–461 may be exercised only with respect to countries that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as ''IDA-only'' countries.

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961 (relating to international affairs technical assistance activities), $1,500,000, to remain available until expended.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $50,000,000, of which up to $1,000,000 may remain available until expended: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That funds appropriated under this heading for grant financed military education and training for Indonesia and Guatemala may only be available for expanded international military education and training and funds made available for Guatemala may only be provided through the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading may be made available to support grant financed military education and training at the School of the Americas unless the Secretary of Defense certifies that the instruction and training provided by the School of the Americas is fully consistent with training and doctrine, particularly with respect to the observance of human rights, provided by the Department of Defense to United States military students at Department of Defense institutions whose primary purpose is to train United States military personnel: *Provided further*, That the Secretary of Defense shall submit to the Committees on Appropriations, no later than January 15, 2000, a report detailing the training activities of the School of the Americas and a general assessment regarding the performance of its graduates during 1997 and 1998.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $3,470,000,000: *Provided*, That of the funds appropriated under this heading, not to exceed $1,920,000,000 shall be available for grants only for Israel, and not to exceed $1,300,000,000 shall be made available for grants only for Egypt: *Provided further*, That the funds appropriated by this paragraph for Israel shall be disbursed within thirty days of enactment of this Act or by October 31, 1999, whichever is later: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $505,000,000 should be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That none of the funds made available under this heading shall be available for any non-NATO country participating in the Partnership for Peace Program except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act:

Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided,* That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further,* That none of the funds appropriated under this heading shall be available for assistance for Sudan and Liberia: *Provided further,* That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further,* That none of the funds appropriated under this heading shall be available for assistance for Guatemala: *Provided further,* That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further,* That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further,* That not more than $30,495,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further,* That not more than $330,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2000 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $76,500,000: *Provided,* That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $50,000,000, to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association (IDA) by the Secretary of the Treasury, $576,600,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GILMAN:

In title IV of the bill, in the item relating to ''CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION'', after the first dollar amount, insert the following: ''(reduced by $8,000,000)''.

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

Mr. GILMAN. Mr. Chairman, last month the World Bank approved a $40 million financing package to move over 57,000 Chinese people into Tibet.

As my colleagues know, the Chinese Army invaded Tibet in 1949 and later drove His Holiness, the Dalai Lama, into exile in India. He remains in India today, and his people in Tibet are forced to live under the Chinese Communist dictatorship.

Over the last 30 years, the Chinese Government supported the movement of Chinese people into Tibet, attempting to dilute and eventually wipe out the Tibetan people's culture and their religion.

Now the World Bank is helping to subsidize that effort. In December of 1998, Bank staff published information that they were planning a loan to help relocate 57,000 Chinese farmers into Tibet.

Senior Bank staff of World Bank, including its current president, James Wolfensohn, later claimed that they were surprised when this loan appeared 6 months later for approval by the Bank's board. He claimed the process of reviewing the loan was grueling; but rather than delay the approval of this loan, he approved it with only an internal panel to later review the project. No major human rights organizations or environmental organizations are running that panel.

Both the International Campaign for Tibet and the Friends of the Earth endorse my amendment. They have opposed this loan from the start, and their voices deserve to be heard.

What the Bank has done is not enough. The American taxpayer cannot support the Chinese Government's colonization of Tibet. The World Bank project included hiring a consultant to prepare an Involuntary Resettlement Action Plan for indigenous people.

We must send a message to the Bank that our Nation, the Bank's largest donor, cannot support projects which violate the human rights of the Tibetan people.

This loan, Mr. Chairman, represents the arrogance of the Bank's staff and the clout that China has over that staff. We must send a message that the Bank should reflect the values of the Democratic donors and not Chinese Communist dictators.

The Gilman-Lantos amendment will make a modest cut of $8 million, comprising the U.S. share of the loan, to send to the Bank a message that this kind of project cannot be supported.

The Senate already passed such an amendment, and now it is our turn.

Mr. Chairman, I welcome the support of the gentleman from Texas (Mr. ARMEY) our majority leader; the gentleman from Hawaii (Mr. ABERCROMBIE); the gentleman from California (Mr. LANTOS), a senior member of our committee; the gentleman from Massachusetts (Mr. MCGOVERN); the gentleman from Illinois (Mr. PORTER), a senior member of the Committee on Appropriations; and the gentleman from South Carolina (Mr. SANFORD), another member of the committee.

Their support represents a unique coalition for human rights, for the rule of law, and for the support for Tibet and its people.

Accordingly, I urge adoption of the amendment.

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

Mr. GILMAN. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I want to rise in support of the Gilman-Lantos amendment to cut $8 million from the International Development Association lending window of the World Bank.

Mr. Chairman, like my colleagues from both sides of the aisle, I was deeply disturbed and angry that the World Bank pursued the China Western Poverty Reduction loan, a loan so flawed in its preparation that it should never have been brought before the Board of Executive Directors.

I oppose and I am angry that the Bank would fund a program with the goal of displacing Tibetan people from their ancestral territory in order to pursue a badly conceived agricultural program that relies on moving more ethnic Chinese into Tibet.

Did the World Bank learn nothing from its terrible history of funding forced resettlement and transmigration in Indonesia?

But the reason I support this amendment goes far beyond this loan for China.

□ 2045

This loan has become emblematic of everything wrong with the World Bank. This loan received the wrong environmental designation from its very conception. It should have received what is known as a Category A designation for its resettlement requirements alone, let alone for its potential impact on fragile ecosystems and on the nomadic peoples who inhabit this part of Tibet. The staff who prepared the loan failed to comply with the bank's own policies on environmental assessment, public information disclosure, participation by affected peoples, indigenous peoples and involuntary resettlement.

We in the United States Congress do not take these policies lightly and we

do not think the World Bank should, either. The creation of these policies has served for years to influence support for World Bank funding. I would like to thank the gentlewoman from California (Ms. PELOSI) for all her leadership in this area. The violation of these bank policies, indeed the cynical manner in which they were dismissed or bypassed by bank staff responsible for the preparation of this loan, accounts for someone like myself, a strong supporter of bilateral and multilateral development aid, rising in support of this amendment.

In spite of its policies and its rhetoric in support of poverty alleviation and environmentally sustainable development, the World Bank again and again pursues loans that cause grave harm to the environment, to indigenous peoples, and to genuine sustainable development.

Mr. Chairman, I again urge my colleagues to support the Gilman-Lantos amendment.

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would rather do anything than to come before this body and speak against the very distinguished gentleman from New York who chairs the Committee on International Relations, who does so much good work worldwide, who has vast knowledge of all of the areas of the world and just passed a few days ago the international relations bill through this body and did such a magnificent job there. But I, too, feel like I have made a contribution towards the same goal that the gentleman from New York wants to reach. To remind him of what we have already done in this bill, we have cut IDA $223 million from last year over the strong objections in the committee and over the ranking member of our subcommittee. We almost had to force the $200 million reduction in IDA. But, nevertheless, we did it.

I feel like I have graduated magna cum laude from college and come home to my parent and he is criticizing me because I did not graduate summa cum laude. I think we have done a good job here, Mr. Chairman, and I think we have addressed every issue that the gentleman from New York has brought to us from his committee as chairman of the Committee on International Relations. I think we have a good bill, and while symbolically I agree with the gentleman, I think we have gone far enough.

I would respectfully ask the distinguished gentleman if he would withdraw this amendment and let us get on to passing this bill tonight in a timely fashion. I am not necessarily disagreeing with his mission, I just think the timing is inappropriate at this time.

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

Mr. CALLAHAN. I yield to the gentleman from New York.

Mr. GILMAN. I want to again commend the gentleman for his outstanding job on this measure. We recognize that he has made substantial cuts in many important areas trying to keep within our budget. But there are a number of important organizations in our country and a number of people who have stressed their opposition to what the World Bank is seeking to do. We would like to make a very symbolic record in opposition.

Mr. CALLAHAN. Reclaiming my time, it is already there in report language at the gentleman's request. We have inserted the report language there. I know it is symbolic and $8 million in the terms in which we speak, in billions of dollars or even trillions, is not a lot of money. But, nevertheless, I think it is going to take a lot of time to show that symbolism when it is already written in the report.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the distinguished gentleman from New York is a great leader on human rights throughout the world and it is always a joy to work with him. He is an inspiration to all of us. I completely agree with the gentleman entirely on his motivation on this legislation. But I have to agree in part with the gentleman from Alabama for the following reason. I have fought him tooth and nail on cutting this $224 million from IDA in the bill. While I share the concerns the gentleman expresses in the amendment, to go on and cut more from IDA I think would diminish any arguments we made about the impact of the $224 million already cut from IDA.

I think what the World Bank did is appalling. As the gentleman knows, under his leadership and working with him, we have called meetings together with the people who work at the World Bank, with many congressional offices participating in these meetings. We jointly, 60 of us, sent a letter at the urging of the gentleman from New York and me to President Wolfensohn about this. This is appalling. The World Bank is ignoring its own standards on resettlement as well as the environment. There are many reasons why they should not have gone down this road. I do not like what they are doing as far as Tibet is concerned. We have fought that in this House year in and year out. And now the World Bank is asking those of us who have not only opposed the Chinese policy of resettlement in the Tibetan areas of Han Chinese, they are asking us to pay for it by our contribution to the World Bank.

The World Bank did a very stupid thing. The World Bank has invited some very, very close scrutiny in terms of resettlement and environment which, as I say, are violated in what they have done. June 30 marked the end of any IDA funding to China. The other poor people in the world will pay the price for what the World Bank refused to listen to us on. The Chinese government has had its way with the World Bank and I think that it is appalling. But as one who has fought the fight with the gentleman against the repression in China year in and year out, I cannot let the Chinese regime take assistance away from people in other parts of the world because of their behavior there, and just because the World Bank has done something I do not like does not mean that we should take away their funding.

So sharing every value that the gentleman presented, agreeing completely that the World Bank is wrong, wrong, wrong on many scores as far as this is concerned, appalled by the ethnic cleansing that this represents on the part of the Chinese government, but nonetheless saying that we cannot take any more money from the fund that goes for the poorest of the poor people.

I find myself in a very difficult place, Mr. Chairman, but because I was going to have to vote ''no'' on the gentleman's amendment, I wanted to explain to my colleagues why. He is completely right, but I have a counter-equity that outweighs that.

Mr. Chairman, I urge my colleagues, well, I do not urge anybody to do anything. I am just telling them why I will be voting ''no,'' because I have resisted the gentleman's $224 million cut and do not see how then to go on and support an additional cut to IDA. With that and with the deepest respect for the chairman of the Committee on International Relations and begging his forgiveness because he has been the champion on Tibet, the champion on Tibet, I offer that explanation to the body.

Mr. CAMPBELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I entirely support the effort of the gentleman from New York here. I know of no stronger champion of human rights in the House. I do not think I am going to be contradicted in that degree at all. But there is one argument that has been made that requires a rebuttal, and, that is, that if we accept the gentleman from New York's amendment, that we will deprive other recipients of the World Bank funds their appropriate investments from the World Bank. That can be fixed. Indeed, I went to the gentleman last night, and, gracious man that he was, he agreed to accept an amendment to his amendment, regrettably it was not in parliamentary order to do so, that the dollar-for-dollar reduction that would be taken away from the World Bank for this purpose would instead be given to the concessional wing of the Africa Development Fund which gives the lowest income, the most neediest countries in Africa loans for development projects when they cannot otherwise receive such development projects.

What I have and will introduce at the right time, which will be very soon, is an amendment at the desk to plus-up that account for the Africa Development Fund by exactly the amount that the gentleman from New York is reducing the IDA account because of the World Bank's mistake. So with that

understanding, and obviously there are many other possibilities but this is the one that occurred to me and that I brought to the gentleman that he, I am proud to say, agreed with, but with that understanding I do not think there is any merit to the argument that accepting the gentleman from New York's amendment will disadvantage the really needy countries on Earth. In fact, the World Bank traditionally spends about 50 percent of its money in sub-Saharan Africa. This will kick it over to 100 percent.

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

Mr. CAMPBELL. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I want to commend the gentleman from California for his support of the Campbell-Payne amendment to transfer funds to the African Development Fund. I look forward to supporting him with regard to that amendment.

Mr. CAMPBELL. I reclaim my time. I thank the gentleman. I repeat that I have the highest admiration for him and what he is attempting to do tonight.

I will conclude with just a word on behalf of the authorizers. The authorizers are supposed to know something about the field. I do not claim that I do. I do claim that the gentleman from New York does and that he is entitled to a substantial amount of respect when he speaks in these areas. I urge support for his amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just want to associate myself with the remarks of the gentleman from New York, the chairman of our full committee, and just to say a couple of words.

What were they thinking, lending money to a government like China to move people around involuntarily?

I was looking at an internal World Bank document and I cannot believe this. One of the people that they have hired will be working on an involuntary resettlement action plan. Involuntary. Not voluntary, involuntary.

I think the amendment is timely and important. This is not the first time, I say to my colleagues, in recent years that the bank's arrogance has resulted in tragedy for helpless citizens of a brutal regime. An Indonesian human rights advocate at one of my subcommittee hearings during the last days of the Suharto regime said that ''the people of Indonesia had nothing to say about creating that large debt but the World Bank is determined to democratize its repayment.'' The bank was warned that it was subsidizing corruption throughout and yet continued to do so. Here we have a mass transmigration of people against their will—and again, this is involuntary. I hope the gentleman from New York's amendment will prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. GILMAN).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increase in capital stock, $25,610,667, to remain available until expended.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $1,503,718,910.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $13,728,263, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $672,745,205.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $100,000,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $100,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL:

Page 33, line 16, after the dollar amount insert ''(increased by $8,000,000)''.

Mr. CAMPBELL. Mr. Chairman, the amendment as offered by myself and also by the gentleman from New Jersey (Mr. PAYNE), it is this amendment to which I referred to earlier. It would allocate the $8 million, which has now been reduced from the IDA account because of the World Bank's lending to the forced repatriation or relocation of Chinese to Tibet, instead to the Africa Development Fund. I note that the amount had been $120 million last year. It is now $100 million, so this will only bring it up to $108 million. I also note it is not for arrears.

□ 2100

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $35,778,717, for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $123,237,803.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $167,000,000: *Provided,* That none of the funds appropriated under this heading shall be made available for the United Nations Fund for Science and Technology: *Provided further,* That none of the funds made available under this heading, may be provided to the Climate Stabilization Fund until fifteen days after the Department of State provides a report to the Committees on Foreign Relations and Appropriations in the Senate and the Committees on International Relations and Appropriations in the House of Representatives that contains the number of employees of the Fund, their functions and salaries, and descriptions of the Fund's activities, programs, and projects (including associated costs) for the fiscal years 1999 and 2000: *Provided further,* That none of the funds appropriated under this heading may be made available to the Korean Peninsula Energy Development Organization (KEDO) or the International Atomic Energy Agency (IAEA).

TITLE V—GENERAL PROVISIONS

OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled ''International Disaster Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund'', not more than 15 percent of any appropriation item made available by this Act shall be obligated during the last month of availability.

PROHIBITION OF BILATERAL FUNDING FOR INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. Notwithstanding section 614 of the Foreign Assistance Act of 1961, none of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961: *Provided,* That none of the funds appropriated by title II of this Act may be transferred by the Agency for International Development directly to an international financial institution (as defined in section 533 of this Act) for the purpose of repaying a foreign country's loan obligations to such institution.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $126,500 shall be for official residence expenses of the Agency for International Development during the current fiscal year: *Provided,* That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed

$5,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 116, line 8, 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 Alabama?

There was no objection.

The text of the bill from page 36, line 11 through page 116, line 8, is as follows:

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $95,000 shall be available for representation allowances for the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading ''Foreign Military Financing Program'', not to exceed $2,000 shall be available for entertainment expenses and not to exceed $50,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading ''International Military Education and Training'', not to exceed $50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading ''Trade and Development Agency'', not to exceed $2,000 shall be available for representation and entertainment allowances.

PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for ''Nonproliferation, Anti-terrorism, Demining and Related Programs'') pursuant to this Act, for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office.

TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. (a) Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the headings under title II of this Act are, if deobligated, hereby continued available for the same period as the respective appropriations under such headings or until September 30, 2000, whichever is later, and for the same general purpose, and for countries within the same region as originally obligated: *Provided*, That the Appropriations Committees of both Houses of the Congress are notified 15 days in advance of the reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: *Provided*, That the authority of this subsection may not be used in fiscal year 2000.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, and 11 of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, and funds provided under the heading ''Assistance for Eastern Europe and the Baltic States'', shall remain available until expended if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: *Provided further*, That the report required by section 653(a) of the Foreign Assistance Act of 1961 shall designate for each country, to the extent known at the time of submission of such report, those funds allocated for cash disbursement for balance of payment and economic policy reform purposes.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act: *Provided*, That this section and section 620(q) of the Foreign Assistance Act of 1961 shall not apply to funds made available in this Act or during the current fiscal year for Nicaragua, Brazil, Liberia, and for any narcotics-related assistance for Colombia, Bolivia, and Peru authorized by the Foreign Assistance Act of 1961 or the Arms Export Control Act.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 514. (a) The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

(b) The Secretary of the Treasury should instruct the United States executive directors of international financial institutions listed in subsection (a) of this section to use the voice and vote of the United States to

support the purchase of American produced agricultural commodities with funds appropriated or made available pursuant to this Act.

NOTIFICATION REQUIREMENTS

SEC. 515. (a) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for ''Child Survival and Disease Programs Fund'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Assistance for Eastern Europe and the Baltic States'', ''Assistance for the Independent States of the Former Soviet Union'', ''Economic Support Fund'', ''Peacekeeping operations'', ''Operating Expenses of the Agency for International Development'', ''Operating Expenses of the Agency for International Development Office of Inspector General'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''International Affairs Technical Assistance'', ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peace Corps'', ''Migration and Refugee Assistance'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Appropriations Committees of both Houses of Congress are previously notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(b) Drawdowns made pursuant to section 506(a)(2) of the Foreign Assistance Act of 1961 shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2001.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a Government of an Independent State of the former Soviet Union—

(1) unless that Government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that Government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(b) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a Government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(d) Funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) Funds appropriated in this or prior appropriations Acts that are or have been made available for an Enterprise Fund in the Independent States of the Former Soviet Union may be deposited by such Fund in interest-bearing accounts prior to the disbursement of such funds by the Fund for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(g) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the headings ''Assistance for the New Independent States of the Former Soviet Union'' and ''Assistance for the Independent States of the Former Soviet Union'', for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations: *Provided*, That none of the funds made available under this Act may be used to lobby for or against abortion.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2000, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Colombia, Haiti, Liberia, Pakistan, Panama, Serbia, Sudan, or the Democratic Republic of Congo except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development ''program, project, and activity'' shall also be considered to include central program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance

with a report, to be provided to the Committees on Appropriations within 30 days of enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

SEC. 522. Up to $10,000,000 of the funds made available by this Act for assistance under the heading ''Child Survival and Disease Programs Fund'', may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the Agency for International Development for the purpose of carrying out child survival basic education, and infectious disease activities: *Provided,* That funds appropriated by this Act that are made available for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, Acquired Immune Deficiency Syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: *Provided further,* That funds appropriated under title II of this Act may be made available pursuant to section 301 of the Foreign Assistance Act of 1961 if a primary purpose of the assistance is for child survival and related programs: *Provided further,* That funds appropriated by this Act that are made available for family planning activities may be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, Iran, Syria, North Korea, or the People's Republic of China, unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (c) of that section: *Provided,* That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees: *Provided further,* That such Committees shall also be informed of the original acquisition cost of such defense articles.

AUTHORIZATION REQUIREMENT

SEC. 525. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

DEMOCRACY IN CHINA

SEC. 526. Notwithstanding any other provision of law that restricts assistance to foreign countries, funds appropriated by this Act for ''Economic Support Fund'' may be made available to provide general support and grants for nongovernmental organizations located outside the People's Republic of China that have as their primary purpose fostering democracy in that country, and for activities of nongovernmental organizations located outside the People's Republic of China to foster democracy in that country: *Provided,* That none of the funds made available for activities to foster democracy in the People's Republic of China may be made available for assistance to the government of that country: *Provided further,* That funds made available pursuant to the authority of this section shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least fifteen days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 528. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

COMPETITIVE INSURANCE

SEC. 529. All Agency for International Development contracts and solicitations, and subcontracts entered into under such contracts, shall include a clause requiring that United States insurance companies have a fair opportunity to bid for insurance when such insurance is necessary or appropriate.

STINGERS IN THE PERSIAN GULF REGION

SEC. 530. Except as provided in section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, the United States may not sell or otherwise make available any Stingers to any country bordering the Persian Gulf under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961.

DEBT-FOR-DEVELOPMENT

SEC. 531. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated, and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities, or

(ii) debt and deficit financing, or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapters 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law

which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (H. Report No. 98–1159).

(3) NOTIFICATION.—At least fifteen days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 533. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, ''international financial institutions'' are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 534. None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMERICAN FOUNDATION, THE AFRICAN DEVELOPMENT FOUNDATION AND THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

SEC. 535. (a) Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. The appropriate agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

(b) Unless expressly provided to the contrary, limitations on the availability of funds for ''International Organizations and Programs'' in this or any other Act, including prior appropriations Acts, shall not be construed to be applicable to the International Fund for Agricultural Development.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 536. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(b) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(c) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided,* That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

FUNDING PROHIBITION FOR SERBIA

SEC. 537. None of the funds appropriated by this Act may be made available for assistance for the Republic of Serbia: *Provided,* That this restriction shall not apply to assistance for Kosova or Montenegro, or to assistance to promote democratization.

SPECIAL AUTHORITIES

SEC. 538. (a) Funds appropriated in titles I and II of this Act that are made available for Afghanistan, Lebanon, Montenegro, and for victims of war, displaced children, displaced Burmese, humanitarian assistance for Romania, and humanitarian assistance for the peoples of Kosova, may be made available notwithstanding any other provision of law.

(b) Funds appropriated by this Act to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and, subject to the regular notification procedures of the Committees on Appropriations, energy programs aimed at reducing greenhouse gas emissions: *Provided,* That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) The Agency for International Development may employ personal services contractors, notwithstanding any other provision of law, for the purpose of administering programs for the West Bank and Gaza.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of six months at a time and shall not apply beyond twelve months after enactment of this Act.

POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 539. It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel;

(2) the decision by the Arab League in 1997 to reinstate the boycott against Israel was deeply troubling and disappointing;

(3) the Arab League should immediately rescind its decision on the boycott and its members should develop normal relations with their neighbor Israel; and

(4) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel as a confidence-building measure;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress on the specific steps being taken by the President to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to expand the process of normalizing ties between Arab League countries and Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ANTI-NARCOTICS ACTIVITIES

SEC. 540. (a) Of the funds appropriated by this Act for ''Economic Support Fund'', assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act.

(b) Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

ELIGIBILITY FOR ASSISTANCE

SEC. 541. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, and

11 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'': *Provided,* That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: *Provided further,* That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further,* That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2000, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided,* That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

EARMARKS

SEC. 542. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act or, with respect to a country with which the United States has an agreement providing the United States with base rights or base access in that country, if the President determines that the recipient for which funds are earmarked has significantly reduced its military or economic cooperation with the United States since enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991; however, before exercising the authority of this subsection with regard to a base rights or base access country which has significantly reduced its military or economic cooperation with the United States, the President shall consult with, and shall provide a written policy justification to the Committees on Appropriations: *Provided,* That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided,* That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

CEILINGS AND EARMARKS

SEC. 543. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 544. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of enactment of this Act by the Congress.

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

SEC. 545. (a) To the maximum extent possible, assistance provided under this Act should make full use of American resources, including commodities, products, and services.

(b) It is the sense of the Congress that, to the greatest extent practicable, all agriculture commodities, equipment and products purchased with funds made available in this Act should be American-made.

(c) 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 (b) by the Congress.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 546. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or costs for attendance of another country's delegation at international conferences.

CONSULTING SERVICES

SEC. 547. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, 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 pursuant to existing law.

PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

SEC. 548. None of the funds appropriated or made available pursuant to this Act shall be available to a private voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 549. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act or any other comparable provision of law. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance estimated to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 550. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) DEFINITION.—For purposes of this section, the term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 551. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided,* That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 552. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided,* That the determination required under

this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further,* That sixty days after the date of enactment of this Act, and every one hundred eighty days thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the steps the United States Government is taking to collect information regarding allegations of genocide or other violations of international law in the former Yugoslavia and to furnish that information to the United Nations War Crimes Tribunal for the former Yugoslavia: *Provided further,* That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: *Provided further,* That funds made available for tribunals or commissions shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 553. Notwithstanding any other provision of law, demining equipment available to the Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 554. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided,* That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further,* That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 555. None of the funds appropriated or otherwise made available by this Act under the heading ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities may be obligated or expended to pay for—

(1) alcoholic beverages;

(2) food (other than food provided at a military installation) not provided in conjunction with Informational Program trips where students do not stay at a military installation; or

(3) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events and amusement parks.

EQUITABLE ALLOCATION OF FUNDS

SEC. 556. Not more than 17 percent of the funds appropriated by this Act to carry out the provisions of sections 103 through 106 and chapter 4 of part II of the Foreign Assistance Act of 1961, that are made available for Latin America and the Caribbean region may be made available, through bilateral and Latin America and the Caribbean regional programs, to provide assistance for any country in such region.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 557. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation for a Latin American country, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89–808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95–501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief ad referendum agreements, commonly referred to as ''Paris Club Agreed Minutes''.

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as ''IDA-only'' countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading ''Debt Restructuring''.

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 558. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading ''Debt Restructuring''.

ASSISTANCE FOR HAITI

SEC. 559. (a) POLICY.—In providing assistance to Haiti, the President should place a priority on the following areas:

(1) aggressive action to support the Haitian National Police, including support for efforts by the Inspector General to purge corrupt and politicized elements from the Haitian National Police;

(2) steps to ensure that any elections undertaken in Haiti with United States assistance are full, free, fair, transparent, and democratic;

(3) support for a program designed to develop an indigenous human rights monitoring capacity;

(4) steps to facilitate the continued privatization of state-owned enterprises;

(5) establishment of an economic development fund for Haiti to provide long-term, low interest loans to U.S. investors and businesses that have a demonstrated commitment to, and expertise in, doing business in Haiti, in particular those businesses present in Haiti prior to the 1994 United Nations embargo; and

(6) a substantial agricultural development program.

(b) REPORT.—Beginning six months after the date of enactment of this Act, and six months thereafter until September 30, 2001, the President shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives with regard to—

(1) the status of each of the governmental institutions envisioned in the 1987 Haitian Constitution, including an assessment of the extent to which officials in such institutions hold their positions on the basis of a regular, constitutional process;

(2) the status of the privatization (or placement under long-term private management or concession) of the major public entities, including a detailed assessment of the extent to which the Government of Haiti has completed all required incorporating documents, the transfer of assets, and the eviction of unauthorized occupants from such facilities;

(3) the status of efforts to re-sign and implement the lapsed bilateral Repatriation Agreement and an assessment of the extent to which the Government of Haiti has been cooperating with the United States in halting illegal emigration from Haiti;

(4) the status of the Government of Haiti's efforts to conduct thorough investigations of extrajudicial and political killings and—

(A) an assessment of the progress that has been made in bringing to justice the persons responsible for these extrajudicial or political killings in Haiti, and

(B) an assessment of the extent to which the Government of Haiti is cooperating with United States authorities and with United States-funded technical advisors to the Haitian National Police in such investigations;

(5) an assessment of actions taken by the Government of Haiti to remove and maintain the separation from the Haitian National Police, national palace and residential guard, ministerial guard, and any other public security entity or unit of Haiti those individuals who are credibly alleged to have engaged in or conspired to conceal gross violations of internationally recognized human rights;

(6) the status of steps being taken to secure the ratification of the maritime counter-narcotics agreements signed October 1997;

(7) an assessment of the extent to which domestic capacity to conduct free, fair, democratic, and administratively sound elections has been developed in Haiti; and

(8) an assessment of the extent to which Haiti's Minister of Justice has demonstrated a commitment to the professionalism of judicial personnel by consistently placing students graduated by the Judicial School in appropriate judicial positions and has made a commitment to share program costs associated with the Judicial School, and is achieving progress in making the judicial branch in Haiti independent from the executive branch.

REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN REPORT OF SECRETARY OF STATE

SEC. 560. (a) FOREIGN AID REPORTING REQUIREMENT.—In addition to the voting practices of a foreign country, the report required to be submitted to Congress under section 406(a) of the Foreign Relations Authorization Act, fiscal years 1990 and 1991 (22 U.S.C. 2414a), shall include a side-by-side comparison of individual countries' overall support for the United States at the United Nations and the amount of United States assistance provided to such country in fiscal year 1999.

(b) UNITED STATES ASSISTANCE.—For purposes of this section, the term ''United States assistance'' has the meaning given the term in section 481(e)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)).

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 561. (a) PROHIBITION ON VOLUNTARY CONTRIBUTIONS FOR THE UNITED NATIONS.—None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

(b) CERTIFICATION REQUIRED FOR DISBURSEMENT OF FUNDS.—None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) unless the President certifies to the Congress 15 days in advance of such payment that the United Nations is not engaged in any effort to implement or impose any taxation on United States persons in order to raise revenue for the United Nations or any of its specialized agencies.

(c) DEFINITIONS.—As used in this section the term ''United States person'' refers to—

(1) a natural person who is a citizen or national of the United States; or

(2) a corporation, partnership, or other legal entity organized under the United States or any State, territory, possession, or district of the United States.

HAITI

SEC. 562. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the civilian-led Haitian National Police and Coast Guard: *Provided*, That the authority provided by this section shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 563. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of six months at a time and shall not apply beyond twelve months after enactment of this Act.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 564. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided*, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further*, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO EAST TIMOR

SEC. 565. In any agreement for the sale, transfer, or licensing of any lethal equipment or helicopter for Indonesia entered into by the United States pursuant to the authority of this Act or any other Act, the agreement shall state that the United States expects that the items will not be used in East Timor: *Provided*, That nothing in this section shall be construed to limit Indonesia's inherent right to legitimate national self-defense as recognized under the United Nations Charter and international law.

RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING SANCTUARY TO INDICTED WAR CRIMINALS

SEC. 566. (a) BILATERAL ASSISTANCE.—None of the funds made available by this or any prior Act making appropriations for foreign operations, export financing and related programs, may be provided for any country, entity or canton described in subsection (e).

(b) MULTILATERAL ASSISTANCE.—

(1) PROHIBITION.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any extension by such institutions of any financial or technical assistance or grants of any kind to any country or entity described in subsection (e).

(2) NOTIFICATION.—Not less than 15 days before any vote in an international financial institution regarding the extension of financial or technical assistance or grants to any country or entity described in subsection (e), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Banking and Financial Services of the House of Representatives a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(3) DEFINITION.—The term ''international financial institution'' includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(c) EXCEPTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), subsections (a) and (b) shall not apply to the provision of—

(A) humanitarian assistance;

(B) democratization assistance;

(C) assistance for cross border physical infrastructure projects involving activities in both a sanctioned country, entity, or canton and a nonsanctioned contiguous country, entity, or canton, if the project is primarily located in and primarily benefits the nonsanctioned country, entity, or canton and if the portion of the project located in the sanctioned country, entity, or canton is necessary only to complete the project;

(D) small-scale assistance projects or activities requested by United States Armed Forces that promote good relations between such forces and the officials and citizens of the areas in the United States SFOR sector of Bosnia;

(E) implementation of the Brcko Arbitral Decision;

(F) lending by the international financial institutions to a country or entity to support common monetary and fiscal policies at the national level as contemplated by the Dayton Agreement;

(G) direct lending to a non-sanctioned entity, or lending passed on by the national government to a non-sanctioned entity; or

(H) assistance to the International Police Task Force for the training of a civilian police force.

(2) NOTIFICATION.—Every 30 days the Secretary of State, in consultation with the Administrator of the Agency for International Development, shall publish in the Federal Register and/or in a comparable publicly accessible document or internet site, a listing and justification of any assistance that is obligated within that period of time for any country, entity, or canton described in subsection (e), including a description of the purpose of the assistance, project and its location, by municipality.

(d) FURTHER LIMITATIONS.—Notwithstanding subsection (c)—

(1) no assistance may be made available by this Act, or any prior Act making appropriations for foreign operations, export financing and related programs, in any country, entity, or canton described in subsection (e), for a program, project, or activity in which a publicly indicted war criminal is known to have any financial or material interest; and

(2) no assistance (other than emergency foods or medical assistance or demining assistance) may be made available by this Act, or any prior Act making appropriations for foreign operations, export financing and related programs for any program, project, or activity in a community within any country, entity or canton described in subsection (e) if competent authorities within that community are not complying with the provisions of Article IX and Annex 4, Article II, paragraph 8 of the Dayton Agreement relating to war crimes and the Tribunal.

(e) SANCTIONED COUNTRY, ENTITY, OR CANTON.—A sanctioned country, entity, or canton described in this section is one whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to apprehend and transfer to the Tribunal all persons who have been publicly indicted by the Tribunal.

(f) WAIVER.—

(1) IN GENERAL.—The Secretary of State may waive the application of subsection (a) or subsection (b) with respect to specified bilateral programs or international financial institution projects or programs in a sanctioned country, entity, or canton upon providing a written determination to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives that such assistance directly supports the implementation of the Dayton Agreement and its Annexes, which include the obligation to apprehend and transfer indicted war criminals to the Tribunal.

(2) REPORT.—Not later than 15 days after the date of any written determination under paragraph (1) the Secretary of State shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives regarding the status of efforts to secure the voluntary surrender or apprehension and transfer of persons indicted by the Tribunal, in accordance with the Dayton Agreement, and outlining obstacles to achieving this goal; and

(3) ASSISTANCE PROGRAMS AND PROJECTS AFFECTED.—Any waiver made pursuant to this subsection shall be effective only with respect to a specified bilateral program or multilateral assistance project or program identified in the determination of the Secretary of State to Congress.

(g) TERMINATION OF SANCTIONS.—The sanctions imposed pursuant to subsections (a) and (b) with respect to a country or entity shall cease to apply only if the Secretary of State determines and certifies to Congress that the authorities of that country, entity, or canton have apprehended and transferred to the Tribunal all persons who have been publicly indicted by the Tribunal.

(h) DEFINITIONS.—As used in this section—

(1) COUNTRY.—The term ''country'' means Bosnia-Herzegovina, Croatia, Serbia, and Montenegro.

(2) ENTITY.—The term ''entity'' refers to the Federation of Bosnia and Herzegovina, Kosova, and the Republika Srpska.

(3) CANTON.—The term ''canton'' means the administrative units in Bosnia and Herzegovina.

(4) DAYTON AGREEMENT.—The term ''Dayton Agreement'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

(5) TRIBUNAL.—The term ''Tribunal'' means the International Criminal Tribunal for the Former Yugoslavia.

(i) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND GOVERNMENT AGENCIES.—In carrying out this section, the Secretary of State, the Administrator of the Agency for International Development, and the executive directors of the international financial institutions shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent publicly indicted war criminals from benefitting from any financial or technical assistance or grants provided to any country or entity described in subsection (e).

TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERNMENT OF THE RUSSIAN FEDERATION SHOULD IT ENACT LAWS WHICH WOULD DISCRIMINATE AGAINST MINORITY RELIGIOUS FAITHS

SEC. 567. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

GREENHOUSE GAS EMISSIONS

SEC. 568. (a) Funds made available in this Act to support programs or activities the primary purpose of which is promoting or assisting country participation in the Kyoto Protocol to the Framework Convention on Climate Change (FCCC) shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

(b) The President shall provide a detailed account of all Federal agency obligations and expenditures for climate change programs and activities, domestic and international obligations for such activities in fiscal year 2000, and any plan for programs thereafter related to the implementation or the furtherance of protocols pursuant to, or related to negotiations to amend the FCCC in conjunction with the President's submission of the Budget of the United States Government for Fiscal Year 2001: *Provided*, That such report shall include an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President's Budget Appendix: *Provided further*, That such report shall identify with regard to the Agency for International Development, obligations and expenditures by country or central program and activity.

WITHHOLDING ASSISTANCE TO COUNTRIES VIOLATING UNITED NATIONS SANCTIONS AGAINST LIBYA

SEC. 569. (a) WITHHOLDING OF ASSISTANCE.—Except as provided in subsection (b), whenever the President determines and certifies to Congress that the government of any country is violating any sanction against Libya imposed pursuant to United Nations Security Council Resolution 731, 748, or 883, then not less than 5 percent of the funds allocated for the country under section 653(a) of the Foreign Assistance Act of 1961 out of appropriations in this Act shall be withheld from obligation or expenditure for that country.

(b) EXCEPTION.—The requirement to withhold funds under subsection (a) shall not apply to funds appropriated in this Act for allocation under section 653(a) of the Foreign Assistance Act of 1961 for development assistance or for humanitarian assistance.

(c) WAIVER.—Funds may be provided for a country without regard to subsection (a) if the President determines that to do so is in the national security interest of the United States.

AID TO THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF CONGO

SEC. 570. (a) None of the funds appropriated by this Act may be provided for assistance for the central Government of the Democratic Republic of Congo until such time as the President reports in writing to the Congress that the central Government is—

(1) investigating and prosecuting those responsible for human rights violations committed in the Democratic Republic of Congo; and

(2) implementing a credible democratic transition program.

(b) This section shall not apply to assistance to promote democracy and the rule of law as part of a plan to implement a credible democratic transition program.

ASSISTANCE FOR THE MIDDLE EAST

SEC. 571. Of the funds appropriated by this Act under the headings ''Economic Support Fund'', ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peacekeeping Operations'', for refugees resettling in Israel under the heading ''Migration and Refugee Assistance'', and for assistance for Israel to carry out provisions of chapter 8 of part II of the

Foreign Assistance Act of 1961 under the heading ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', not more than a total of $5,318,150,000 may be made available for Israel, Egypt, Jordan, Lebanon, the West Bank and Gaza, the Israel-Lebanon Monitoring Group, the Multinational Force and Observers, the Middle East Regional Democracy Fund, Middle East Regional Cooperation, and Middle East Multilateral Working Groups: *Provided*, That any funds that were appropriated under such headings in prior fiscal years and that were at the time of enactment of this Act obligated or allocated for other recipients may not during fiscal year 2000 be made available for activities that, if funded under this Act, would be required to count against this ceiling: *Provided further*, That funds may be made available notwithstanding the requirements of this section if the President determines and certifies to the Committees on Appropriations that it is important to the national security interest of the United States to do so and any such additional funds shall only be provided through the regular notification procedures of the Committees on Appropriations: *Provided further*, That notwithstanding the funding ceiling contained in this section, not to exceed a total of $100,000,000 may be made available for Jordan from funds appropriated in this Act under the headings ''Economic Support Fund'' and ''Foreign Military Financing Program'', in addition to funds otherwise available for Jordan under those or other headings that are subject to the funding ceiling contained in this section.

ENTERPRISE FUND RESTRICTIONS

SEC. 572. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

CAMBODIA

SEC. 573. (a) The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Government of Cambodia, except loans to support basic human needs.

(b) None of the funds appropriated by this Act may be made available for assistance for the Government of Cambodia: *Provided*, That this restriction shall not apply to humanitarian assistance, including assistance for basic education activities.

AUTHORIZATION FOR POPULATION PLANNING

SEC. 574. Not to exceed $385,000,000 of the funds appropriated in title II of this Act may be available for population planning activities or other population assistance.

FOREIGN MILITARY TRAINING REPORT

SEC. 575. (a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by January 31, 2000, a report on all military training provided to foreign military personnel (excluding sales, and excluding training provided to the military personnel of countries belonging to the North Atlantic Treaty Organization) under programs administered by the Department of Defense and the Department of State during fiscal years 1999 and 2000, including those proposed for fiscal year 2000. This report shall include, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean a report to the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House of Representatives.

KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 576. (a) Of the funds made available under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', not to exceed $35,000,000 may be made available for the Korean Peninsula Energy Development Organization (hereafter referred to in this section as ''KEDO''), notwithstanding any other provision of law, only for the administrative expenses and heavy fuel oil costs associated with the Agreed Framework.

(b) Of the funds made available for KEDO, up to $15,000,000 may be made available prior to June 1, 2000, if, thirty days prior to such obligation of funds, the President certifies and so reports to Congress that—

(1) the parties to the Agreed Framework have taken and continue to take demonstrable steps to implement the Joint Declaration on Denuclearization of the Korean Peninsula in which the Government of North Korea has committed not to test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons, and not to possess nuclear reprocessing or uranium enrichment facilities;

(2) the parties to the Agreed Framework have taken and continue to take demonstrable steps to pursue the North-South dialogue;

(3) North Korea is complying with all provisions of the Agreed Framework;

(4) North Korea has not diverted assistance provided by the United States for purposes for which it was not intended; and

(5) North Korea is not seeking to develop or acquire the capability to enrich uranium, or any additional capability to reprocess spent nuclear fuel.

(c) Of the funds made available for KEDO, up to $20,000,000 may be made available on or after June 1, 2000, if, thirty days prior to such obligation of funds, the President certifies and so reports to Congress that—

(1) the effort to can and safely store all spent fuel from North Korea's graphite-moderated nuclear reactors has been successfully concluded;

(2) North Korea is complying with its obligations under the agreement regarding access to suspect underground construction;

(3) North Korea has terminated its nuclear weapons program, including all efforts to acquire, develop, test, produce, or deploy such weapons; and

(4) the United States has made and is continuing to make significant progress on eliminating the North Korean ballistic missile threat, including further missile tests and its ballistic missile exports.

(d) The authorities of sections 451 and 614 of the Foreign Assistance Act of 1961, as amended, may not be used to authorize or provide assistance—

(1) to North Korea for purposes related to the Agreed Framework;

(2) to KEDO in excess of the amount made available under subsection (a); or

(3) that cannot be provided due to any funding ceiling, prohibition, restriction, or condition on release of funds that is contained in subsections (a), (b), or (c).

(e) The President may waive the certification requirements of subsections (b) and (c) if the President determines that it is vital to the national security interests of the United States and provides written policy justifications to the appropriate congressional committees prior to his exercise of such waiver. No funds may be obligated for KEDO until 30 days after submission to Congress of such waiver.

(f) The Secretary of State shall submit to the appropriate congressional committees a report (to be submitted with the annual presentation for appropriations) providing a full and detailed accounting of the fiscal year 2001 request for the United States contribution to KEDO, the expected operating budget of the KEDO, to include unpaid debt, proposed annual costs associated with heavy fuel oil purchases, and the amount of funds pledged by other donor nations and organizations to support KEDO activities on a per country basis, and other related activities.

AFRICAN DEVELOPMENT FOUNDATION

SEC. 577. Funds made available to grantees of the African Development Foundation may be invested pending expenditure for project purposes when authorized by the President of the Foundation: *Provided*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That this authority applies to interest earned both prior to and following enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations in advance of exercising such waiver authority.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 578. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

NOTIFICATION ON THE USE OF OPERATING EXPENSES

SEC. 579. None of the funds appropriated under the heading ''Operating Expenses of the Agency for International Development'' may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the Agency for International Development, except as provided through the regular notification procedures of the Committees on Appropriations.

IRAQ OPPOSITION

SEC. 580. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' may be made available for political, economic, humanitarian, and associated support activities for Iraqi opposition groups designated under the Iraq Liberation Act (Public Law 105–338).

AGENCY FOR INTERNATIONAL DEVELOPMENT BUDGET SUBMISSION

SEC. 581. Beginning with the fiscal year 2001 Budget, the Agency for International Development shall submit to the Committees on Appropriations a detailed budget for each fiscal year. The Agency budget shall contain the estimated levels of obligations for the current fiscal year and actual levels for the two previous years, and the President's request for new budget authority and estimate of carryover obligational authority

for the budget year. Budget data shall be disaggregated by program and activity for each bureau, field mission, and central office. Staff levels shall be provided and identified by program. The Agency shall submit to the Committees on Appropriations a proposed budget format no later than October 31, 1999, or 30 days after the enactment of this act, whichever occurs later.

SENSE OF CONGRESS CONCERNING THE MURDER OF FOUR AMERICAN CHURCHWOMEN IN EL SALVADOR

SEC. 582. (a) FINDINGS.—Congress makes the following findings.

(1) The December 2, 1980 brutal assault and murder of four American churchwomen by members of the Salvadoran National Guard was covered up and never fully investigated.

(2) On July 22 and July 23, 1998, Salvadoran authorities granted three of the National Guardsmen convicted of the crimes early release from prison.

(3) The United Nations Truth Commission for El Salvador determined in 1993 that there was sufficient evidence that the Guardsmen were acting on orders from their superiors.

(4) In March 1998, four of the convicted Guardsmen confessed that they acted after receiving orders from their superiors.

(5) Recently declassified documents from the State Department show that United States Government officials were aware of information suggesting the involvement of superior officers in the murders.

(6) United States officials granted permanent residence to a former Salvadoran military official involved in the cover-up of the murders, enabling him to remain in Florida.

(7) Despite the fact that the murders occurred over 17 years ago, the families of the four victims continue to seek the disclosure of information relevant to the murders.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) information relevant to the murders should be made public to the fullest extent possible;

(2) the Secretary of State and the Department of State are to be commended for fully releasing information regarding the murders to the victims' families and to the American public, in prompt response to congressional requests;

(3) the President should order all other Federal agencies and departments that possess relevant information to make every effort to declassify and release to the victims' families relevant information as expeditiously as possible;

(4) in making determinations concerning the declassification and release of relevant information, the Federal agencies and departments should presume in favor of releasing, rather than of withholding, such information; and

(5) the President should direct the Attorney General to review the circumstances under which individuals involved in either the murders or the cover-up of the murders obtained residence in the United States, and the Attorney General should submit a report to the Congress on the results of such review not later than January 1, 2000.

KYOTO PROTOCOL

SEC. 583. 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 States 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.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 584. (1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under ''International Organizations and Programs'', not more than $25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (hereinafter in this subsection referred to as the ''UNFPA'').

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under ''International Organizations and Programs'' may be made available for the UNFPA for a country program in the People's Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under ''International Organizations and Programs'' for fiscal year 2000 for the UNFPA may not be made available to UNFPA unless—

(A) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(B) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(C) the UNFPA does not fund abortions.

(4) REPORT TO CONGRESS AND WITHHOLDING OF FUNDS.—

(A) Not later than February 15, 2000, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(B) If a report under subparagraph (A) indicates that the United Nations Population Fund plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

This Act may be cited as the ''Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000''.

AMENDMENT NO. 1 OFFERED BY MR. MOAKLEY

Mr. MOAKLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. MOAKLEY:

At the end of the bill, insert after the last section (preceding the short title) the following:

LIMITATION ON ASSISTANCE FOR SCHOOL OF THE AMERICAS

SEC. . None of the funds appropriated or otherwise made available by this Act may be used for programs at the United States Army School of the Americas located at Fort Benning, Georgia.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that the amendment be limited to 1 hour of debate divided equally between a proponent and opponent of the amendment.

The CHAIRMAN. Does the gentleman include ''and all amendments thereto''?

Mr. CALLAHAN. Yes, Mr. Chairman.

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

Ms. PELOSI. Reserving the right to object, Mr. Chairman, I just sought recognition to concur with the gentleman's request with the approval of the maker of the amendment, the gentleman from Massachusetts (Mr. MOAKLEY).

Mr. MOAKLEY. I approve.

Ms. PELOSI. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MOAKLEY) is recognized for 30 minutes.

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

I thank the gentleman from Alabama for allowing this time allotment.

Mr. Chairman, I am sure that many people are very surprised to see me fighting to close the School of Americas, but 10 years ago I got to know people from another part of the world, people who have such a love for family, such a passion for life, and despite their many, many hardships, that I still cannot forget them, though my work in that country is through.

On November 16, 1989, at the University of Central America in El Salvador six Jesuit priests, their housekeeper and their 15 year-old daughter were pulled from their beds, forced to lie on the ground, and executed in cold blood. At that time, Mr. Chairman, El Salvador was in the midst of a horrible civil war. The United States had sided with the Salvadoran government, and we had sent the Salvadoran military a total of $6 billion.

Those murders, murders of men of God and innocent women, shocked the entire world, and Congress wanted to know exactly what was going on in El Salvador. Speaker Foley called for a Congressional investigation and asked me to head it up. My top staff personnel, a Congressman, JIM MCGOVERN, and I traveled to El Salvador to investigate these murders. For 2 years we held meetings, conducted interviews, dug around. We learned that the Salvadoran soldiers not only committed the massacre but also were ordered to do so by the people at the highest levels of their military command who then engaged in a massive cover-up reaching the highest levels of Salvadoran government, the very same Salvadoran government, Mr. Chairman, to whom we were sending billions and billions of dollars.

After the Moakley Commission report was made public, we eventually cut off all military aid to El Salvador. Soon afterwards, that civil war ended.

But, Mr. Chairman, today, 10 years later, our work towards human rights in Central America has not ended. In addition to learning who committed the Jesuit murders, we learned that 19 of those 26 implicated in those murders were graduates of the School of Americas. Let me repeat, Mr. Chairman. Nineteen of those 26 implicated in the Jesuit murders were graduates of the School of Americas.

The School of Americas is a United States Army school run in Fort Benning, Georgia, that trains approximately 2,000 Latin American soldiers every year. The classes they teach include combat skills, commando tactics, military intelligence, and torture techniques, and this education comes at a very high price. The School of Americas costs the United States taxpayers $20 million every year, and that is what we are trying to stop here tonight, Mr. Chairman.

My colleagues and I are offering an amendment which will stop any money in the bill from being used to support the School of Americas. We are standing today and saying enough is enough; it is time to close down the school once and for all. Because, Mr. Chairman, its graduates were not only involved in the Jesuit murders, the School of Americas graduates raped and killed four American church women.

They assassinated Archbishop Romero while offering mass. The School of Americas graduates massacred 900 innocent civilians in El Mozote. And School of Americas graduates were implicated in the Trujillo chain-saw massacres, in which at least 107 villagers were tortured and murdered. Manuel Noriega, the infamous Panamanian dictator, is a graduate of the School of Americas as were one-third of General Pinochet's officials. Mr. Chairman, just 2 months ago, General Rito Del Rio was expelled from the Columbian military because his human rights violations were so horrible. He also is a graduate of the School of the Americas.

Mr. Chairman, the list goes on and on and on. Put simply, the School of Americas has trained some of the most brutal assassins, some of the cruelest dictators, some of the worst abusers of human rights that the western hemisphere has seen, and I think it is time for the United States of America to admit its mistakes and remove this horrible blemish from our military establishment because if we do not stand for human rights in Georgia, how can we possibly expect to promote them anywhere else in the world?

This spring, President Clinton was forced to apologize for our involvement in the civil war in Guatemala that left 200,000 civilians dead. How many more times will our President have to apologize to the people of Central America before we close the school?

Some people say the school is changed. They say it trains people in drug interdiction. In fact, 8 percent of the students that even attend the anti-drug courses, a dozen of those who did in the past have been also tied to drug trafficking.

Mr. Chairman, the fact remains every day this school is open, every day it trains people in torture techniques and commando tactics is a day too many.

Human rights are the foundation on which our country was created. We shed blood over those principles. We fought wars and sacrificed lives to protect them. Why would we want to export anything less to the rest of the world?

I urge my colleagues to take a stand for those without a voice, take a stand for human rights, take a stand for human decency, and shut down that School of Americas. Our Founding Fathers would expect nothing else.

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

The CHAIRMAN. The gentleman from Alabama (Mr. CALLAHAN) is recognized for 30 minutes in opposition to the amendment offered by the gentleman from Massachusetts (Mr. MOAKLEY).

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

Mr. Chairman, for the past 4 years on every occasion that this bill has come to the floor since I have been chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs we have had this debate, and every year the proponents of the amendment such as the gentleman from Massachusetts (Mr. MOAKLEY), a man that I greatly admire from Massachusetts, brings out the same stale points about the facts and the rationale and the reasons for closing down the School of Americas, and certainly the motives with which he brings this amendment are good motives. None of us support the atrocities that were committed by the members of certain Latin American countries during times of war. Some of those people indeed did go and did attend and did graduate from the School of Americas, but we cannot condemn the School of Americas forever for something that happened 15 or 20 years ago.

This does not mean that if we do not agree with the gentleman from Massachusetts (Mr. MOAKLEY) that his motive is not noble. It simply means that the school has cleaned up its act.

I have sent our staff members of our committee about four times to make absolutely certain that the School of Americas does not teach, does not encourage terrorism or the violation of human rights in any manner, and I have promised to those people who are opposed to the School of Americas: ''If you will bring me one iota that indicates that the curriculum at the School of Americas is doing anything to the contrary, that I myself will close them down because I will not include funding in my bill if indeed they are.'' But, Mr. Chairman, they are not. Those are the real facts.

The only thing that we hear year after year is the atrocities that were committed decades ago by graduates of that school. The unibomber went to Harvard. Do we say we ought to close Harvard down because the unibomber committed all the atrocities? No. We only say this each and every year about the School of Americas.

Mr. Chairman, the chairman of the Joint Chiefs of Staff and the Secretary of Defense has contacted us as late as today, pleading with us, telling us that this is indeed crucial to our own national security because this is the only school where we can bring these new military leaders and military people to the United States and talk to them in Spanish, a language they can comprehend, a language that they will be able to then go back and to express their concerns for human rights.

So this issue is decades old, there is no change in the debate. Each year the Congress has rejected this amendment, to close down the school, and I would urge the Members of Congress to take heed to what the Secretary of Defense tells us, that what every chairman of every area of our military has communicated with us: Please do not take away this instrument of peace that we have in establishing an ability to bring these people to the United States and to teach them about democracy, to teach them about human rights.

This bill only includes $2 million, a very small amount of money for the amount of debate that has taken place on this for the last several years. I would urge my colleagues to listen to the military experts, to the professionals who have to run our military, who will have to send our military to Central America or to South America in the event of any uprising, and we need this cooperative working relationship with these people, and we need, indeed, to instruct them in human rights and as well as the military, and that was that we instruct them.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I am pleased to join our chairman, the gentleman from Alabama (Mr. CALLAHAN) in rising in opposition to the amendment by the gentleman from Massachusetts (Mr. MOAKLEY). It is in our national interest to see that the militaries of Central and South American countries play a positive role in that region's fragile democratic societies. Our Army School of the Americas serves our national interest and deserves our support, not our scorn.

I do not believe that anyone intends to suggest that our good men and women in the uniform are deliberately training people to commit human rights abuses. Accordingly, I have encouraged dialogue between the school and its critics.

Donnie Marshall, the acting administrator for the DEA, recently noted that, and I quote: The School of the Americas plays an important role in supporting our efforts to stop the flow of illegal drugs into the United States, close quote. General Serrano, the highly respected Director General of the Columbian National Police last year informed our Committee on International Relations, and I quote: The

School of the Americas trains our reaction forces in fighting narcotics trafficking with excellent result, and I am a witness to the fact that it is a very valuable instrument for training our men to carry out the antinarcotics fight, close quote.

I have sent my staff delegation to the School of the Americas twice in the past year to fully examine the school's operations; and in response to Congressional oversight, the School of the Americas has made a real effort to strengthen its curriculum. The school's commandant, Colonel Glenn Weidner, reports that, and I quote: Every student in every one of the 55 courses taught by this school receives between 8 and 40 hours of formal human rights instruction depending on course length.

□ 2115

''Classroom instruction is followed up with practical application in field and map-based exercises throughout each course. No other Department of Defense school provides as much human rights training to foreign or U.S. students.''

Prudent restrictions have been implemented at the school to make sure the students are screened for actual and alleged human rights violations.

Just as we do not close down our police academies when any one of our cops turns bad, neither should we throw away one of the important constructive tools we have for influencing Latin America's militaries for the good.

Accordingly, let us not throw out the whole barrel of apples because of a few bad apples. I urge my colleagues to oppose the Moakley amendment.

Mr. MOAKLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. Scarborough), the coauthor of the amendment.

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time.

Let me say, hearing the words of the gentleman from Alabama and also the gentleman from New York, I certainly respect their beliefs on human rights, their beliefs to fight for human rights. I just know that on this issue, reasonable minds can differ, and they do. I differ with my good friend from Massachusetts on several issues. But human rights, as far as I am concerned, really does not have any ideological barriers. Whether we are talking about Sudan, whether we are talking about China, or whether we are talking about Central America, I think we have to fight for human rights.

Mr. Chairman, I even, I am sure, would disagree violently on what happened in the 1980s. I believe what happened in the 1980s was Ronald Reagan's fight for freedom in Central America. But at the same time, the Cold War is over. Soviet intervention in Central America has ended. In fact, the Soviet Union has ended. Now is the time we can all fight and join together for freedom, to bring freedom to Central America.

While the Cold War may be over, the School of the Americas' abuses are not. The United Nations Commission reports that the School of the Americas grads are continuing to assassinate, continuing to murder. In fact, it continued in 1998. The United States State Department reports that murders and torture by SOA grads continue. In fact, in May of 1998, the Colombian Army formally disbanded the 20 Brigade for its involvement in human rights abuses, including targeted killings of civilians. The commander of the brigade at the time was yet another SOA graduate.

As the New York Times wrote, ''An institution so clearly out of tune with American values should be shut down without delay.''

As I said before, whether we are talking about human rights abuses in China or in Central America, or in Sudan or Saudi Arabia, America must, once again, become what Ronald Reagan called a city shining brightly on a hill for all the world to see. Shining for freedom and shining for the exportation of American principles, and not what the School of the Americas has stood for, for the past 20 years.

So I thank the gentleman from Massachusetts again for bringing up this amendment, as the gentleman from Rhode Island (Mr. KENNEDY) has done the past several years, and I am pleased once again to support it. I think now is the year we should all band together and defund the School of the Americas.

Mr. CALLAHAN. Mr. Chairman, I yield 6 minutes to the gentleman from Georgia (Mr. BISHOP) who, incidentally, was born in Mobile, Alabama, my hometown. My hometown has a college named after his distinguished father, S.D. Bishop, Bishop State Community College in Mobile.

Mr. BISHOP. Mr. Chairman, the exercise we are engaged in this evening is shameful. It is shameful because the horrendous accusations that have been brought against the Army's School of the Americas and, more specifically, against the civilian and military men and women who have taught there, have been proven to be false. There is no reasonable question about this. None at all.

The accusations about teaching murder and torture and participating in a prolonged conspiracy to commit atrocities and destroy democracy are based on pure propaganda and not on the facts. Anyone who bothers to look at the record can come to no other conclusion.

During this decade, there have been 12 investigations of the school. Mr. Chairman, 12, more than 1 a year. These investigations probed the school's curriculum, the texts it uses; questioned many hundreds of graduates and faculty members, past and present; examined the human rights abuses involving some of the school's graduates; and made a real determination about how many graduates have gone bad and how many have been involved in the emergence of democracy in Latin America.

All came to the same conclusion: these charges are false. In fact, the school is doing just the opposite. It is promoting human rights and democratic principles, helping fight the war against drugs, and effectively serving as an instrument of pro-democratic U.S. foreign policy in our own hemisphere.

One of these investigations, Mr. Chairman, was conducted by the General Accounting Office at the direction of our former colleague from California, Ron Dellums. The GAO dug long and hard and eventually recommended improvements that have, in fact, been implemented. But according to the GAO, there is no question that the charges were unfounded. When Ron Dellums asked the GAO to dig some more, the agency did so and reconfirmed its findings.

Do those who continue to make these charges really think that the GAO is a part of a cover-up?

Overseeing the school is a distinguished Board of Visitors that includes noted human rights figures like Mr. Steve Schneebaum. Do we really think they too are involved in a cover-up?

The fact is that those who persist in accusing the school of promoting criminal and evil conduct are turning their backs on the facts. Unfortunately, the leaders of the School of the Americas Watch do not care about the truth. They decided long ago to place the blame for the horrible atrocities that have taken place in Latin America on the United States, and the School of the Americas has served as a convenient propaganda target and whipping boy.

But it is our job, yours and mine, to act on the truth, not on the misinformation that continues to deluge us.

We have heard statements implying that the overwhelming majority of the school's 60,000 graduates have been guilty of abuses. A few may have been, but what the record actually shows is that the overwhelming majority have not been involved in human rights abuses and have instead supported democracy. The school's proponents never mention the graduates who played prominent roles in preventing a military takeover during the recent presidential impeachment in Paraguay, or the graduates who helped prevent a coup during a constitutional crisis in Ecuador not long ago, or those who served on the delegations that resolved a border dispute that almost ignited a devastating war between Peru and Equador, or thousands of others who have been on the front lines of democracy in Latin America.

Opponents claim students really do not get human rights training, which is not true. Every student receives extensive human rights instruction. They

claim students do not get antidrug training. This is also wrong.

One ''Dear Colleague'' claimed that the Guatemalan Truth Commission found the school accountable for human rights violations that occurred during a conflict that cost many lives. In fact, the Commission's report made no such claim. This, too, is just wrong.

My plea is simply this: cast your vote on the basis of information that has been documented and substantiated, and not on charges that have been proven false.

Mr. Chairman, the School of the Americas provides the most advanced military human rights training in the world. For a relatively small investment, it makes a real contribution in reducing the flow of illicit drugs into our country. As an instrument of foreign policy, every administration, Republican and Democratic alike, has testified that the school plays a vitally important and effective role.

I ask my colleagues to support the truth. Vote against this amendment by our distinguished colleague from Massachusetts, and continue the modest funding for a program that, in fact, is advancing the cause of human rights and representative democracy in our area of the world. Base your decision not on innuendo, but on fact. I ask my colleagues to kill this amendment and support democracy here in the Western Hemisphere.

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

If the gentleman at the microphone claims that this is a propaganda thing, then it really fooled a lot of people when those 19 soldiers killed those six Jesuits; when the two out of three soldiers were cited for the assassination of El Salvador's Archbishop Oscar Romero; when the 10 of the 12 were cited for the El Mozote, El Salvador massacre of 900 villagers. That was a great propaganda scheme. A lot of people were fooled by it. The El Salvador death squad leader, Roberto D'Aubuisson. These were great propagandas. These are all truth; they are all substantiated from the Truth Mission of the U.N.

Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank my friend and my colleague, the gentleman from Massachusetts (Mr. MOAKLEY), for his leadership and his vision on this issue. Mr. Chairman, it is very difficult for me to come here tonight and to differ with my friend, my colleague and my brother from Georgia (Mr. BISHOP), but I must.

Mr. Chairman, it is time to close the doors of the United States Army School of the Americas at Fort Benning. The school has not served as a bridge between the United States and our Latin American neighbors. It has been a barrier to bringing peace and democracy to the region. Too many of the school's graduates have committed human rights abuses and unspeakable acts of violence against their own people.

For too long, the United States aided and abetted Latin America dictatorships that repressed human rights and even murdered their own citizens. As a Nation, we made a mistake, and we should admit it. We made a mistake. The President of the United States went to Latin America and said, we made a mistake. I apologize. We made a mistake.

Today, we have an opportunity, we have the capacity, we have the ability to right that wrong. We can be sure, and we must close the School of the Americas.

As we enter the new millennium, we deserve better than the School of the Americas. We deserve an institution that promotes our fundamental belief of democracy, peace, and human rights. The School of the Americas diminishes each and every one of these values. It diminishes us all. We should teach people the value of peace and democracy, not of war and dictatorship. Closing the School of the Americas is the right thing to do. It is good for democracy. It is good for the cause of peace.

Mr. Chairman, it is time to close the School of the Americas. It is the right thing to do. Let us do it.

□ 2130

Mr. CALLAHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. First, Mr. Chairman, let me say that we hear a lot of passionate speeches, but I think they are almost like on a different subject.

The fact is that we have brought democracy and freedom to most of Latin America when it used to be a sea of totalitarian dictatorships. Some still have further to move, but part of it is because we have tried to reform their military, to understand the principles of George Washington stepping aside; that the militaries are not supposed to usurp and dominate the political powers of their countries.

To some degree, we are refighting the eighties that are over. Furthermore, as I have been at Fort Benning, as well as visiting in Peru and Bolivia and Colombia and Mexico, and with many people who have gone through this program four times in the last 4 years, they have learned that you cannot just go in and shoot down people who disagree, you have to try to reach them. Where did they learn that? From us.

The Clinton administration in the last few years, I will grant, has been more aggressive in teaching human rights, or criticizing their own administration as they have tried to broaden out.

As to this argument about the Jesuits, quite frankly, that was a terrible tragedy. We should never have been any part of anything to do with it. But let us make something clear, the United States government did not do that and did not authorize that. I feel terrible for the people Ted Bundy killed, but I do not blame the University of Washington, where he went.

I do not blame the Unabomber for having attended the University of Michigan. I do not blame the Trinity College, Cambridge University, for Kim Philby, Donald McLean, Burgess and Blunt, all traitors. I do not blame Bronx Community College for the Son of Sam. I do not blame Ohio State University for Jeffrey Dahmer.

Just because they went to universities and might have even learned skills that quite frankly helped them do their terrible crimes, writing, communicating, and so on, does not mean that the purpose of those universities was to teach them the things that they did wrong.

It is insulting to this government, because the whole case that all this spins around is one document that supposedly was used in one classroom that somebody brought in that was in Spanish, and when we found it, we took it out, and do not even know that it was used in the classroom.

The second part of the case are people who committed crimes, and they have attended the school. We have tried to work with the school to do better tracking, to do better screening. That is what we need to be addressing.

Ironically, this is one of the only ways, through the Spanish language, to reach the lower educated and low-income parts of their military in their country. We do training, but we do training in other bases of officers. We do not reach out to the masses who are in fact in debatable practices, sometimes, in non-narcotics areas. But basically, we are teaching them that they have to do it better and follow procedures. We are not teaching them to violate human rights. I find it insulting.

One last comment is that I think that this is arguably the centerpiece of our antidrug war in the world, because we cannot patrol the entire world. What we can do is teach people how to do a better job following the principles of democracy and human rights, the limitations of the military around the world.

While I have skepticism about our government, I think it is demeaning to this President and the Vice President, the people in our Armed Forces, to think that they are actually training people for the deliberate purpose of killing others, outside the normal procedures of war.

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

Mr. Chairman, I wish the gentleman was with me when I saw the brains of Jesuits being scraped off the wall as a result of being killed by some of the graduates of the School of the Americas, if he thinks this is propaganda.

Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts

(Mr. MCGOVERN), who at the time was my chief investigator in El Salvador when we discovered who the killers were of those Jesuits.

Mr. MCGOVERN. Mr. Chairman, I rise in strong support of the Moakley-Scarborough amendment to shut down the School of the Americas. Nearly a decade ago I had the privilege of working for the dean of the Massachusetts delegation, the gentleman from Massachusetts (Mr. MOAKLEY), in investigating the murders of 6 Jesuits priests, their housekeeper, and her teenaged daughter at the University of Central America in El Salvador.

I knew four of these priests. I worked with them on human rights issues during the long war in El Salvador. I knew their work in support of the poor, in education, in support of negotiating an end to the war. I joked with them. Believe it or not, I even sang songs with them. I ate at their table. I saw them receive honors and awards for their work on behalf of peace and human rights.

Like the rest of America, I woke up on November 16, 1989, to photos and news footage of their blood-splattered bullet-ridden bodies lying on the ground outside their home, dead, murdered, forced out of their beds in the middle of the night, forced to the ground with high-powered U.S. rifles put to their heads, their brains blown out across the yard.

Mr. Chairman, these images haunt me. They should haunt all of us. They should certainly haunt the U.S. Army School of the Americas, because when the facts of this came out, 19 of the 26 soldiers who murdered these men and women were graduates of the School of the Americas.

In the past 10 years, not once, not once, Mr. Chairman, have I heard anyone from the School of the Americas, the U.S. Army, or the Pentagon express any regret or concern about any possible role they might have played in relation to these murders, not on the record or off the record, not in private, nothing. All we ever hear from the School of the Americas and the Secretary of the Army and everyone else in the military establishment are rationalizations about a few bad apples. How many bad apples does it take before we shut this school down?

It is not just El Salvador or Guatemala in the past, it is today. It is today in Colombia, it is today in Peru, it is today in Bolivia. Every single time the United Nations or human rights groups analyze which military officers are the major human rights abusers, they find the overwhelming majority have been trained by the U.S. Army School of the Americas.

Let me be clear, these are not reports by the Pentagon or the school, these reports are generally made by human rights advocates, who place themselves in great danger in order to determine who among their militaries are responsible for ordering and carrying out atrocities against the civilian population.

In fact, the School of the Americas has never attempted to track the actions of its graduates. In fact, it has refused to carry out an independent review of its graduates. It simply does not want to know.

I do not know when each of my colleagues last traveled to Central America, but I urge them to go and talk to the people in the churches, to religious workers, to human rights workers, to labor leaders, and to just average folks. Ask them about the School of the Americas. Almost without exception, they will point out that the school is part of the problem with U.S. policy.

Do not ask government officials beholden to U.S. aid, do not ask the Latin American generals, do not ask the Pentagon. Of course they support the school. They have to. It is their job, or their junket. Ask the people of Latin America. Go to the villages that have suffered military oppression.

This school is a blemish on the image of the United States among the people of Latin America. There are better ways to train members of the Latin American military. There are better ways to build relationships. Every year the United States carries out training programs and leadership development throughout Latin America that involve tens of thousands of Latin American military officers and enlisted personnel. We do not need the School of the Americas to do the training. There are other ways, better ways. A couple of small buildings on the huge base of Fort Benning could be put to better use and for other purposes.

Nothing can bring back my friends from the dead, but I have walked on the ground where they died, and I refuse to vote for a single penny more of taxpayer dollars for the school that trained their killers and that continues to train military officers who harm and kill innocent people in Latin America.

This is a vote of values. This is a vote of conscience. This is the time to shut down the School of the Americas. The time is now. I urge my colleagues to vote for the Moakley-Scarborough amendment. It is the right thing to do.

Mr. CALLAHAN. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Chairman, I rise in strong opposition to the amendment offered by the distinguished gentleman from Massachusetts (Mr. MOAKLEY) to close the U.S. Army School of the Americas.

The gentleman from Georgia (Mr. BISHOP) is right, this is pure propaganda. Never has there been such a misguided, concerted propaganda effort against an organ of the United States government.

What bothers me, what saddens me, is the emotion, obviously deep emotion, because of the atrocities that affected the Maryknoll nuns, the Jesuit priests, the Archbishop Romero. This emotion would cause us to do irrational things.

It is time to leave behind this debate. I would say to my colleague, the gentleman from Massachusetts (Mr. MCGOVERN), the gentleman who just spoke, nothing will bring back the gentleman's friends. Those people were killed by men who did not receive their training to kill at the School of the Americas. He is on a mission from the 1980s. That mission today is misguided.

Mr. Chairman, as many of my colleagues are aware, there is this concerted effort to discredit the U.S. Army School of the Americas, the persistent use of outdated arguments of what the members consider to be a misreading of the record of outstanding service of nearly all of the school's graduates.

The School of the Americas, of course, is a key foreign policy tool for the United States in Latin America and the Caribbean. It helps to shape the region's leadership and environment in ways that are favorable to American interests. The school is also an integral part of the U.S. Southern Command's engagement strategy for the region.

At the end of the Cold War the attendant shift in U.S. national security strategy from containment to engagement and enlargement, and the emergence of new challenges to U.S. security interests, clearly has transformed many of America's institutions. Like most military institutions, the U.S. School of the Americas has undergone substantial changes.

I would say to my colleague, the gentleman from Georgia, this organization is not a mistake. It leads for democracy, not against it. It has emerged over the Cold War period with a revitalized and strengthened mission that promotes democracy, civilian control of the military, and respect for human rights. The change in mission has driven a corrresponding shift in the school's curriculum.

Today the School of the Americas emphasizes drug interdiction and eradication, humanitarian assistance and demining operations, civil-military relations, ethical, legal, and operational perspectives pertaining to human rights, democratic issues sustainment, and the conduct of peacekeeping and broader operations. With that as the kind of curriculum, it is no wonder that the officers and men involved in the School of the Americas, members of the United States Army, are insulted when they are charged with leading to the kind of abuses that are suggested as coming from their graduates.

Opponents of the school have indicted it is responsible for or complicit in many of the human rights abuses committed in Latin American countries. The facts are that in the School of the Americas 53-year tenure, during which it has graduated over 60,000 students, a small fraction of 1 percent of those students have ever been linked to human rights violations.

The lessons of the school did not take for these people, but probably nothing would have changed those evil and illegal inclinations.

Do all the graduates of our leading religious universities and colleges lead exemplary lives when they graduate? Of course they do not. The students of the School of the Americas committed violence in spite of, not because of what they learned at the School of the Americas.

Recent retired military officers trained at the school have included ten Latin American heads of State, 37 cabinet members, and over 100 chiefs of the Armed Forces and Chiefs of Staff of the services. General Jaime Guzman, a graduate, the minister of defense of El Salvador, has made heroic strides toward the elimination of human rights abuses by that Nation's military forces, a force that during the 1980s numbered abuses in the range of 2,000 per month.

Ironically, a direct benefit of the scrutiny of the school, including the scrutiny of the gentleman from Massachusetts, and I commend him for it, has resulted in very positive changes.

I oppose the gentleman's amendment. I ask my colleagues to do likewise.

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

Ms. LEE. Mr. Chairman, I rise in strong support of the Moakley amendment to prohibit the continued funding of the United States Army School of the Americas. I thank the gentleman from Massachusetts (Mr. MOAKLEY) for his courageous leadership.

This is not pure propaganda. Those of us who defend human rights in the world know that the School of the Americas' training has been strongly connected to a deplorable amount of atrocities in the world. Sixty percent of the military officers cited for human rights violations in El Salvador by the 1992 report of the United National Truth Commission are School of the Americas graduates. In Columbia, 50 percent of the 247 military officers cited for abuses in a definitive 1998 publication are School of the Americas graduates.

What have these graduates been taught? They have learned the most sophisticated ways to commit torture, excessive abuses, and kidnaps in the middle of the night. Some of these graduates have been connected to the El Mozote massacre of 800 civilians, and the rape, torture, and murder of four American churchwomen.

Furthermore, the School of the Americas has been connected to the murder of six Jesuits priests and two women, and even to the assassinations of Archbishop Oscar Romero, a man who dedicated his life to peace.

How much longer will we continue to fund an institution whose teachings have been connected to so many needless deaths and sources of pain for so many people? Some of the defenders of School of the Americas say that it is a center for counternarcotics training, but do not allow them to cloak this school in a feel-good explanation. Its graduates have been implicated time and time and time again in drug-related crimes in Peru, Columbia, Venezuela, Bolivia, and Guatemala.

Also, we must ask ourselves, what is the moral guiding principle for allowing the School of the Americas to remain open? The same supporters will state that the manuals of torture are a thing of the past and the curriculum has been reformed. However, they have not reformed enough. Only 10 percent of the School of the Americas students take part or attend classes in this new curriculum.

The Universal Declaration of Human Rights proclaims a common standard of achievement for all peoples in all nations to the end that every individual and every organ of society keeping this declaration in mind shall strive by teaching and educating to promote these rights and freedoms.

□ 2145

The document also vows to, if it is essential, that human rights should be protected by the state of the law. Surely we can discern that forced imprisonment, extortion, rape, torture, and murder are not a protection of human rights, but rather a gross violation. We have a collective promise to protect human rights. To allow continued funding is not meeting that promise. Let us take that first step by voting for the Moakley amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, I respect my Democratic colleagues who, for years, have expressed their concerns about the Army School of the Americas. Perhaps, and perhaps surely because of them, we have a better school today, and I respect that.

But I would suggest that many Democrats will join with our Republican colleagues tonight in support of the belief that the School of the Americas furthers, not hurts, democracy and human rights in South America.

Let me mention the statement of one Democrat to that effect. ''I am proud of the prominent role that the school now plays through its emphasis on the values of human rights and civilian control of military.'' ''The School of the Americas and the emphasis its curriculum gives human rights are an important part of our efforts to strengthen democratic institutions throughout Latin America.''

That was a statement made on March 24 of this year by President Bill Clinton.

What are the facts? Sixty thousand graduates of the school and a small percentage have been guilty of human rights abuses. Should we shut such a school? I would suggest not. Because if we were being fair and applied that same logic to American universities and colleges from Harvard to Stanford to the University of Texas, we would have to close every major university in the United States.

Mr. Chairman, that is the problem we have and I have with our relations with our friends, our Latinos to the south of the United States. The reason they see us as big brother, and a condescending one at that, is because we apply one standard to ourselves and a different, higher standard to them. I do not think it is fair, and neither do they.

The reality is the fact that democracy has grown, not shrunk, in Latin America over the last decade. I believe, President Clinton believes, many other Democrats and the Republicans believe the School of the Americas has played a constructive role in that progress.

I personally have a hard time thinking that courses such as humanitarian mine removal, counterdrug operations, democratic sustainment, and human rights, train the trainer programs have been the cause of human rights abuses in Latin America.

I oppose the Moakley amendment, in all due respect.

Mr. MOAKLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, I rise tonight in support of the Moakley amendment to prohibit funding for the School of the Americas.

No one has come to this floor to say that every graduate of the School of the Americas has been a murderer or has committed murders. But no one can deny, if the School of the Americas had a class reunion this weekend, it would be a gathering of some of the most unsavory thugs in the history of the Western Hemisphere.

Mr. Chairman, the Cold War is long over. The primary objective of the United States foreign policies have changed as a result. Our focus in Latin America has shifted from combatting Communist insurgencies to supporting promising developments in democratic and civilian rule, and encouraging respect for human rights.

We must adjust our policies accordingly to reflect this transition.

Although the administrators of the School of the Americas claim that their curriculum has been modified to satisfy our new policy objectives, their arguments fail to convince me.

Administrators are quick to point out that they have added courses solely devoted to teaching human rights. What their promotional literature fails to mention, however, is that in the 3 years since the course has been offered, not a single student has taken it.

The School of the Americas claims it is instrumental in the war against drugs. How instrumental can their graduates be when, in 1997, less than 8 percent of the students took the course on counternarcotics.

Four years ago, I traveled to Fort Benning, Georgia to tour the school myself. I was hoping to disprove the School of the Americas' critics. Unfortunately, I left the school unconvinced.

Four years later, significant changes have yet to occur. Four years later, reports on human rights abuses in Latin America continue to implicate School of the Americas' graduates.

In February of this year, the Guatemalan Truth Commission Report concluded that School of the Americas' counterinsurgency training contributed significantly to human rights abuses in that country.

Moreover, a recently released U.S. State Department Report on Human Rights in Columbia links School of the Americas' graduates to abuses that include the July 1997 Mapiripan massacre of 30 peasants, as well as numerous targeted killings of civilians.

Enough is enough. We have heard these same arguments year after year. We have listened to excuses and denials, yet nothing has changed.

The time has come to close this chapter of history and move on. Surely, there are better ways to foster cooperative relationships with our peers in Latin America. The United States has an obligation to prove it stands for human rights and not coercion or repression.

I urge all of my colleagues to vote in support of the Moakley amendment and close the School of the Americas.

Mr. MOAKLEY. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Chairman, I would like to say probably for those people that do not know, I probably have been to El Salvador, Nicaragua, and Guatemala more than anybody in this Congress. I would like to say that we just got back a month ago on a trip where we went to Venezuela and El Salvador.

I had a very interested Democrat who, everywhere we went, asked about the School of the Americas, the School of the Americas, the School of Americas, obviously looking for some statement by somebody down there about how bad the School of the Americas was.

The commander of the Army in Venezuela, I thought, gave the best answer. He was an alumnist. He said that the best training that his Army got was in the School of the Americas. He spoke glowingly about it. He also said that there was no way that he could take his troops that basically had no training at all and make good soldiers out of them without some training outside of his own country. He really spoke positively about it.

In El Salvador, the same question was put by the same person to ex-President Alfredo Cristiani. Those of my colleagues that do not remember, he was the President of El Salvador when the war was really going hot, when the priests were killed. He was the person who kept the peace process going.

In his statement to us, having been questioned about the quality or what was the value of the School of the Americas, he said specifically that he doubted that there was any possibility they would ever have had peace. Because before the rebels were willing to settle in El Salvador, the whole commanding force of the Army had to voluntarily quit. Most of those people that voluntarily quit and left their jobs, and I know one of them now who was the commander, complete commander of the Army, is running a filling station in El Salvador, San Salvador.

But without the voluntary effort on their part to leave, without any effort to try to keep their own power and so forth and to back off and allow the peacemaking between the rebels and Alfredo Cristiani government, it is hard to believe it could have been done better.

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

Mr. Chairman, I guess we both went different places. I was in El Salvador at the anniversary mass of the Jesuits. After I got through speaking, people came up to me and said, ''How can you in the America who is so noted for human rights abuse keep that School of Americas open with the graduates who killed many of our people down here?'' I did not have an answer for them.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Chairman, there is a simple question I try to ask most times I hear about government spending. Do we need it? My colleagues do not have to prove that the School of the Americas is demonic. My colleagues just have to ask themselves, do we need it?

There are many other uses for our taxpayers' dollars in the foreign assistance area that are profoundly more valuable, more important, more treasured by us, and more beneficial to the recipient than this. To make that case, my colleagues do not have to make the case of any indictment of the kind added to the graduates of the School of the Americas.

Second point, the question has arisen as to whether the School of the Americas has engaged in training people to engage in atrocities themselves. I do not maintain that. I am not offering that as the premise for supporting the amendment. What I am saying is that they have shown a remarkable tin ear.

How many years now have we debated the School of the Americas on the floor of this body and asked for reforms, asked for a mandatory course in human rights? As we just heard from our colleague in the well, they still do not have takers for their voluntary course in human rights.

They have instituted a course. And so I did the research, and I found out that it is listed in the course catalog, the United States Army School of the Americas at Fort Benning, Georgia. This is their human rights course. It is a course listed as OE–1, Human Rights Train the Trainer Qualification Course.

Then when we check the International Military Education and Training, IMET, statistics from the military training report, we find out that nobody took it.

Well, the next counter is, well, there is another course, and they are getting around to it. This course trains the upper level staff, the command in general staff course. So I checked into that. It turns out that, yes, out of 817 students in the School of the Americas last year, 28 were enrolled for that course. That is for the very upper level. In 1999, again 28.

The argument I make is simple. It is not needed. Do not spend it.

Mr. CALLAHAN. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Chairman, I thank the gentleman from Alabama for yielding me this time.

Mr. Chairman, is the school needed? Yes, in answer to the gentleman from California (Mr. CAMPBELL). In answer to his comments about those who did not enroll in the certain human rights classes, I showed him evidence today, he evidently forgot it, that they have and they are.

We have heard the Cold War is over. We have heard that about Europe. But we are spending billions of dollars there today. We have heard about the atrocities in where these people were taught. We from Georgia have been glued to the TV this afternoon about an atrocity we had there today where we have 13 people dead. I wonder where that guy learned to kill. Atrocities happen, especially in a time and era when one is changing from dictatorship to democracy. That is what has happened in Latin America. We have built democracies there, and now we must maintain them.

Mr. Chairman, the U.S. Army School of the Americas is our Nation's foremost training facility for Spanish-speaking militaries and police forces and for U.S. military officers to be stationed in South America, Central America, or the Caribbean.

The school provides training and professional military and police operations, drug interdiction and eradication, peacekeeping, and other areas critical for the post-Cold War challenges in this hemisphere.

Every course at the school has been developed to serve the interests of democracy, and every student who attends the school does receive training in human rights. In fact, the school is widely recognized as having developed the foremost human rights training program available to any military training institution in the world, including those others of U.S. training centers.

Those who suggest that the United States Army School of the Americas

has somewhat been responsible for crimes committed by Latin American soldiers, and the School of the Americas is responsible, are just wrong. They have no way to substantiate it.

An honest assessment of Latin American history over the last 50 years demonstrates clearly that the U.S. Army School of the Americas serves the American interest.

□ 2200

Just recently this week, the Secretary of the Army, Louis Caldera, made the case for the school in a Washington Times op-ed piece, and I would like to read the comments from the secretary, and I quote:

''The preponderance of the engagement with Latin American militaries takes place at the U.S. Army School of the Americas located at Fort Benning, Georgia. The courses taught at the School of the Americas are a reflection of our national security policy, but they are also a reflection of our national values. While the majority of the courses involved are of professional military instruction, new courses have been added on civilian-military relations, humanitarian mine removal efforts, peace operations and sustaining democracy. All courses include instruction in human rights and make clear that the proper role of the military in society is subordination to civilian control.''

He further states: ''Instruction covers the ethical, legal and operational consequences of failing to respect essential standards of individual rights and international law regarding the legitimate use of force.

''Despite such changes, the School of the Americas is once again under attack from critics who claim that it trains Latin American militaries to violate human rights and circumvent the democratic process.

''Instead of focusing on the negative, we should examine the role of the vast majority of graduates who have served their nations proudly and professionally. For example, the key members of the delegation that put together the recent historic peace accord between Ecuador and Peru were School of the Americas graduates from Peru, Ecuador, and the guarantor nations of Chile and United States.

He further states that: ''The School of the Americas receives more oversight than any other U.S. military school. It has undergone several, several,'' as mentioned by my colleague from Georgia, 12 ''separate investigations at the request of the Congress and the Department of Defense. Each of the investigations has found the School of the Americas to be in compliance with U.S. law and policy.''

Mr. Chairman, while most of the turmoil of the 1980s has subsided in this region, new threats have emerged and must be addressed. With all the progress that has been made in the region over the last 50 years, it would be irresponsible to turn our backs while drug traffickers and terrorists chip away at freedom and democracy in Central and South America. It is irresponsible, irresponsible, to the democracies of Latin American countries and to the policy of this Nation to close the School of the Americas.

Mr. MOAKLEY. Mr. Chairman, once again, can the Chair inform me of how much time I have remaining?

The CHAIRMAN. The gentleman from Massachusetts (Mr. MOAKLEY) has 5 minutes remaining, and the gentleman from Alabama (Mr. CALLAHAN) has 1 minute remaining.

Mr. MOAKLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, as a child I learned a simple but accurate rule: You are known by the company you keep. The grizzly record amassed by the graduates of the School of the Americas does not reflect well on the United States of America or on this body, which votes to fund its operations year after year.

We can no longer pretend our hands are clean when we continue to train those whose hands become so bloody. Even 1 day more, Mr. Chairman, is 1 day too many. It is time to close the School of the Americas.

Mr. MOAKLEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise in support of the amendment.

In 1980, four U.S. churchwomen were brutally murdered in El Salvador. Among them was a close friend of mine, Sister Dorothy Kazel from Cleveland, killed by graduates of the School of the Americas.

In 1989, six Jesuit priests were massacred in El Salvador by School of the Americas graduates.

Archbishop Oscar Romero and Bishop Juan Gerardi of Guatemala were assassinated by School of the Americas graduates.

Almost 1,000 citizens of the El Mozote community in El Salvador were massacred by School of the Americas graduates.

In 1997, 30 peasants in the Colombian village of Mapiripan were massacred by School of the Americas graduates.

If this is a school for the Americas, then Al Capone ran a social club for Chicago. It is time to close the school.

In 1992, nine students and a professor were killed in Peru by School of the Americas graduates.

Efrain Barnaca and U.S. citizen Michael DeVine were killed in Guatemala.

Three people were innocent civilians and missionaries working for peace and justice, and they were brutally killed by officers who received their human rights training from the United States Government at the School of the Americas.

Three of the five officers responsible for the "U.S. Churchwomen's" deaths, including my friend, were trained at the SOA.

Nineteen of the 26 officers accused of the massacre of six Jesuit priests were graduates of the SOA.

Two of the three officers responsible for the assassination of Archbishop Romero went to the SOA.

Ten of the twelve involved in the El Mozote massacre of 1,000 people were SOA graduates.

The six Peruvian officers who killed the students and their professor attended the SOA.

The officer in charge at the Mapiripan massacre graduated from the SOA.

And the murderer of Efrain Barnaca and U.S. citizen Michael DeVine is a SOA graduate.

Unfortunately, these are only a few examples of the human rights abuses committed by SOA graduates. In spite of the half-hearted human rights instruction that the SOA claims it includes in every course, the State Department's Country Reports on Human Rights Practices highlight more examples of SOA graduates committing human rights abuses each year.

What Latin American militaries need most is a curriculum solidly based on human rights, civilian control of the military and democratic values. It's not hard to imagine why graduates who spend the majority of their time on military intelligence, psychological operations, battle staff operations, and commando courses and only eight hours of human rights instruction end up committing human rights violations upon returning to their home countries.

As this issue comes to a vote, an InterReligious Task Force delegation of young Ohioans is meeting with victims of violence in El Salvador. They will visit the site of the Jesuit massacre and the El Mozote massacre. They will also visit the site where the four churchwomen were murdered. When they return, we will have yet another first-hand account of the suffering so many SOA graduates have caused.

The young people in this group are acutely aware of the tragedies incited by SOA trainees. As more reports of sketchy curriculums and SOA graduates committing human rights abuses are revealed, this awareness is spreading across the country and the American people are demanding that this school be closed.

It is time to stop funding of this school. If we are truly committed to promoting human rights around the world, we cannot continue funding this school and training future human rights abusers. Let's support justice and peace, not violence and deceit.

I urge my colleagues to vote "yes" on Representative MOAKLEY's amendment to cut funding for the SOA.

Mr. MOAKLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Chairman, I rise in strong support of this amendment.

If we sold jet fighters or arms to a country and they misused or abused their citizens or those around them misused those arms, we would stop the assistance and aid to that country. When we invest in human individuals and military training and we see the misuse and abuse going on with that, we ought to try to restrain it and limit it.

But what are we doing here? We talk about decades-old reports. This is a 1999 report from the Guatemalan Truth

Commission reporting on the conduct of School of Americas graduates. This is the 1998 U.S. State Department report, reporting on problems in Colombia. And what is at the base of it? The graduates from the School of the Americas.

What is the answer to this particular problem from the school? It is a plan that lives on paper that does not live in reality. My friend from Nebraska raised the point that there is a human rights course. Nobody takes it. It is not mandated. And only one in 10 students at this school take any type of course that is related to peace or any of the other values that we are trying to profess. So they have a plan that lives on paper here but not in reality. They are papering over a very serious problem.

This culture has not been changed. It is the same culture that has existed before in terms of this institution, one that fights against the empowerment of people, against social justice, against the religious voices that are speaking up in those countries where they do not have that freedom; against the labor unions in those countries, where they are trying to get power for the people; and even against the political system. They even complain that some of the political campaigning is subversive. Well, sometimes we might agree with them, but the fact of the matter is that this is the conduct of what is going on in this school over and over again.

Are we short of higher education institutions in this country that we cannot bring Spanish speaking individuals into this country to receive the type of training they need?

And then to bring up the issue of drugs. Well, if this is the answer to drugs in South America and Central America, I think we better change it because it is not working very well. In fact, they are almost taking over Colombia these days.

So the fact of the matter is we need to face the facts and look at this and what is going on down here. And I know that our military and the people involved here have good intentions, but the road to hell is paved with good intentions and the road to what has happened here is wrong. We ought to reject this particular language in the bill, we ought to save the $2 million, and we ought to try to respect the rights and the decency of the people in South and Central America that see this as oppression, that see this as something where they send their young men into this country for training and we send them back people that are trained to use those tools and those skills in a way to suppress the democracies and the people in Central and South America.

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. GALLEGLY).

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

Mr. GALLEGLY. Mr. Chairman, as the chairman of the Subcommittee on the Western Hemisphere of the Committee on International Relations, I stand in opposition to the Moakley amendment and in support of the School of the Americas.

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. REYES).

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

Mr. REYES. Mr. Chairman, I rise in opposition to this amendment.

I believe that as Members of Congress, we should fully explore issues before making a determination as to their merits. As such, before I decided my position on the U.S. Army School of the Americas, I met with opponents of the school and I also visited the facility.

At the school, I met with the Commandant. I met with professors—both U.S. military and those from elsewhere in this hemisphere. I met with students. I visited classes. The Army made all of the school open and available to me. My visit convinced me that the School of the Americas is providing an essential service to this nation, assisting in our attempts to positively influence countries throughout the Americas.

On more than one occasion, I have personally invited many of my colleagues who oppose the school to visit the facility with me, but none have agreed to do so. On May 12, I invited many of my colleagues to join me for breakfast with Army Secretary Louis Caldera and School of the Americas Commandant Colonel Glenn Weidner. They were available to answer any questions Members have concerning the school. Only five Members came.

Caldera and Weidner explained, among other things, that the School of the Americas is a U.S. Army school. It teaches the same doctrine, tactics, techniques, and procedures as are taught at every other Army school. Some of my colleagues complain that students are being taught war fighting skills. They are the same war fighting skills taught at every other Army school.

I want you to remain mindful of all of the organizations within the federal government that believe the School of the Americas is a critical tool for promoting democracy and teaching respect for civilian control of a nation and respect for human rights. The Department of State, the Department of Defense, the Department of the Army, the Drug Enforcement Administration, the Office of National Drug Control Policy, and the Commander in Chief of the U.S. Southern Command have all strongly endorsed the School of the Americas as critical to our foreign policy in Latin America. Officials from each of these organizations have written strong letters of support for the school.

Finally, before you cast a vote today to eliminate a school that has provided a great service to this country for more than 50 years, I would ask that you take the time to visit the school, or at least, take the time to meet with its supporters. If you have not had time to do so, please do not vote to kill the school at this time. Once it is eliminated, we cannot take that back. Instead, please vote against the amendment and take the time to explore this issue more fully over the next year. I urge you to oppose the elimination of School of the Americas.

Mr. CALLAHAN. Mr. Chairman, I yield myself the balance of my time, and I will just close by saying that we have had, once again, this annual debate on the School of the Americas. Nothing new has been said. The situation is the same as it was last year.

The school is doing a great service, I think, to this hemisphere. We are, for the first time in many decades, experiencing peace in our own hemisphere and, in my opinion, a lot of that is because of the efforts of the School of the Americas.

Mr. Chairman, I urge the Members of Congress to vote against the amendment.

Mr. FARR of California. Mr. Chairman, I ask my colleagues to join together to ensure that this year's graduating class at the School of Americas is the School's last. Ever. After years of debate, it is time that we finally end the terrible legacy of the School of the Americas. In an era in which we are striving to strengthen democracy and respect for human rights in Latin America, as well as throughout the globe, we cannot possibly justify or tolerate a school whose students major in ''Methods of Torture'' or ''Murder 101.''

The School of the Americas has trained tens of thousands of military personnel from Latin America in combat and military strategy, only to send its graduates back to their home countries to commit horrible atrocities against innocent people. Some of the School's most infamous alumni include Latin American dictators such as Manual Noriega of Panama, Augusto Pinochet of Chile, and Hugo Banzeer of Bolivia. School of the Americas graduates are responsible for the murder of six Jesuit priests in El Salvador in 1989 and the murder of university students in Peru in 1992. Tyrants that we teach our youths to condemn are actually trained on American soil by American personnel. It is our responsibility to halt this hypocrisy.

Military education doesn't have to be this way. Military schools have used exchange programs to allow officers around the world the opportunity to learn about U.S. military doctrine as well as the democratic process. The fact is, the Cold War is over and democracy is spreading throughout Latin America. The School of Americas serves no further purpose.

The evidence is clear, Mr. Chairman. The School of the Americas is an example of military education gone wrong. How long must be deaths of innocent people, including American citizens, continue because of our support for the School of the Americas? The School must be closed for good.

I urge my colleagues to cut funding to the School of the Americans and support the Moakley amendment.

Ms. MCKINNEY. Mr. Chairman, earlier this year President Clinton traveled to Central America. Unfortunately, from Guatemala to El Salvador, he was forced to acknowledge and apologize for U.S. past mistakes in the region. Further, the School of Americas can be traced directly to many of the problems associated with past policy in the region.

So I rise today, to encourage my colleagues to join me in supporting an amendment offered by Representative MOAKLEY to close the United States Army School of the Americas located in Fort Benning, Georgia.

The legacy of the School of the Americas, better known throughout this hemisphere as the School of Assassins, brings shame on the United States military and upon our nation.

As a Georgian, I am embarrassed that the SOA is based in the State that I am so proud to represent.

As a member of the Armed Services Committee, I am extremely frustrated by the dismissive attitude of some of our military establishment to the revelations that our soldiers trained others to murder, torture, and terrorize civilians.

And as a woman of color, I am indignant that the School of Americas has played such a prominent role in the brutal oppression of people of color throughout the America's.

Mr. Chairman, two weeks ago I received a ''Dear Colleague'' letter that featured a lengthy editorial written by former U.S. Ambassador to Panama Ambler Moss, stating his support for the School of the Americas. The editorial is representative of the misinformation being promulgated about the SOA and I believe that some clarification of his statement is in order.

Mr. Moss writes that Members of Congress who oppose the school claim it is a ''school of assassins.'' In fact, it was Panamanians who dubbed the SOA the School of Assassins, long before SOA graduate and Panamanian dictator Manuel Noreiga became a guest of the State of Florida.

Mr. Moss goes on to state that blaming the school for the atrocities of its graduates is akin to ''vilify[ing] Harvard because its alumnus Ted Kaczynsky'' is the Unibomber. It is an absurd comparison. I would suggest that if thousands of Harvard graduates went on to careers in murder, rape, and torture, its trustees would be in prison and its doors closed.

In a rather cynical distortion of the truth, the editorial would have us believe that the ''new and improved'' emphasis of the training at the SOA is now respect for civilian control of the military and respect for human rights. That is false. Of the 33 courses offered at the SOA, only five are related to human rights or democracy and less than ten percent of the students took those last year. None have taken the human rights trainer course.

Finally, Mr. Speaker, the author notes that the ''bad name [the SOA] gave the United States continues to undermine our image with many Latin Americans of democratic persuasion.'' That, at least, he got right.

Other myths abound about the School of the Americas. To name a few, some have made the claim that the SOA is critical to the war on drugs, but the truth is that fewer than 8% of the students took counter-narcotics courses in 1997.

I am particularly concerned by the counter-narcotics myth because I fear the war on drugs, like anti-communism before it, provides too convenient an excuse for turning a blind eye to gross violations of human rights in pursuit of our so-called just cause.

Another pernicious myth about the SOA that is routinely touted as fact is that abuse by its graduates is, like the cold war, a thing of the past. Yet just last year a State Department report shows a SOA graduate commanded Columbia's notorious 20th brigade which had to be disbanded because of its involvement in human rights abuses including political assassination.

The same report shows that another SOA graduate is under investigation for his complicity in the 1997 Majpiripan massacre of 30 peasants.

The Department of Defense is to be commended for acknowledging that training manuals used at the school as recently as 1991 recommended forms of coercion against insurgents that included blackmail, torture and execution. However, the DOD continues to resist efforts by Congress to reform the School of the Americas.

In 1995, the House Appropriations Committee strongly urged the Department to incorporate human rights training into the schools regular training curriculum and ''to rigorously screen potential students to make certain they have not taken part in past human rights abuses.''

Unsatisfied, in 1996 the Committee included in its report to the FY 1997 Foreign Operations Appropriations bill similar language and required the Secretary of Defense, in consultation with the Secretary of State to prepare a report on the school by January 15, 1997.

Still unsatisfied, in 1997 the House version of the FY 1998 foreign operations appropriations bill sought to cut off International Military Education and Training funds to be school unless the Secretary of Defense: (1) certified that the schools training is consistent with respect to human rights; (2) certified that there was adequate screening of prospective students and (3) provided to Congress a report detailing the training at the school and an assessment of its graduates.

After receiving the report mandated in 1996 in June, more than six months late, the Committee asserted that it was ''woefully inadequate'' and did not respond to the Committee's specific request.

Mr. Speaker, efforts at Congressional oversight and reform of the School of the Americas have been met with bureaucratic indifference, token reform and a substantial public relations campaign to clean up the schools image.

We can no longer allow the shameful legacy of the School of the Americas to besmirch the honor and reputation of American soldiers, our nation, or the great state of Georgia.

I urge all of my colleagues in the strongest terms, to join me in voting to close the School of Assassins.

Mr. VENTO. Mr. Chairman, on behalf of my constituents who have committed their lives to speaking out against torture and intimidation tactics taught at the U.S. Army School of the Americas (SOA), I rise in strong support of this human rights amendment which will cut funds for the SOA.

Supporters of the U.S. Army School of Americas (SOA) often claim that human rights abuses by SOA graduates are a thing of the past. Unfortunately, time and time again, graduates of the SOA are cited for horrific acts of violence, torture and murder. The recent State Department Country Report on Human Rights Practices for 1998 points out yet another example of SOA graduates committing human rights abuses back home in their own countries, after receiving training at the expense of U.S. Taxpayers. This time it is in Colombia. Where will the next atrocity take place?

Specifically, the report states that Colombian Major Hernan Orozco Castro, a graduate of the SOA, is under investigation by the Bogota government for his involvement in a July 1997 massacre of at least 30 peasants in the village of Mapiripan. The report also describes the Colombian government's May 1998 disbanding of the feared ''20th Brigade'', led by an SOA graduate, for its involvement in human rights abuses, including the targeted killings of civilians.

Such reports must be reconciled with our conscience and policy to determine if our tax dollars should go to train Latin American military and police forces. U.S. education and training programs, whether military of civilian, have a paramount responsibility to uphold the ideals of social justice and promote basic human rights.

Under intense scrutiny, the Defense Department has claimed that it has cleaned up the SOA. Unfortunately, these reforms are only cosmetic at best. Since 1997, when the SOA first taught its one and only human rights course in Paraguay as a pilot program, not one student has taken the course. Entitled ''Human Rights Train-the-Trainer Qualification Course,'' this human rights course is not a required course—no course is—and it was taught only once in Paraguay, not at Ft. Benning, Georgia. Moreover, the School retains this courses on its list of available courses to this day, even though the class is not taught anymore. If the SOA leadership truly believed in human rights instruction, it would offer a separate, mandatory course taught at the school in Ft. Benning, Georgia.

Try as it may, the SOA cannot re-invent itself. It is time to close the door on this chapter of violence. The SOA is a tragically failed education effort. There are numerous U.S. institutions of higher education that excel at preparing students from abroad to promote the democratic values and safeguards fundamental to a free society. For the sake of the people of Latin America and the United States, we must close the SOA. I urge all my colleagues to vote yes on the Moakley Amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MOAKLEY).

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

Mr. MOAKLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 263, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MOAKLEY) will be postponed.

Mr. MOAKLEY. Mr. Chairman, I withdraw my demand for a recorded vote.

Mr. CALLAHAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 263, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MOAKLEY) will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. PITTS

Mr. PITTS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 printed in House Report 106–269 offered by Mr. PITTS:

Page 116, after line 5, insert the following:

LIMITATION ON CHILD SURVIVAL AND DISEASE PROGRAMS FUND

SEC. . None of the funds appropriated or otherwise made available by this Act in title

II, under the heading ''CHILD SURVIVAL AND DISEASE PROGRAMS FUND'' may be used for programs and activities designed to control fertility or to reduce or delay childbirths or pregnancies (except breastfeeding programs).

The CHAIRMAN. Pursuant to House Resolution 263, the gentleman from Pennsylvania (Mr. PITTS) and a Member opposed each will control 10 minutes.

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

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

Mr. Chairman, I rise today to urge the House to pass my child survival protection amendment to the foreign ops appropriations bill.

This amendment is simple, it is rational, and it represents taxpayer honesty. It is one that many on both sides of the aisle can vote for. Simply, it puts a firewall around child survival funding, stating that child survival funds should be used for child survival, to save lives of children, and not be used for population control.

This is merely honesty in budgeting, honesty in appropriations. Money appropriated for child survival should be used for child survival. Money appropriated for population control should be used for population control.

Many of my colleagues might not be familiar with the child survival program. Let me take a few minutes to give some background. In developing countries, more than 12 million children under the age of 5 die each year of easily preventable diseases. This is the equivalent of half of the children under 5 in America dying in a single year. It is an enormous number of children. It is tragic.

The child survival funds in the foreign ops bill were created to help these children live long enough to celebrate even their fifth birthday. Children in developing countries die every day of illnesses that would never be fatal to our children here in America, things like dehydration, measles, pneumonia, malaria, respiratory infections. Our children do not die of these things because we have access to medicines, immunizations, and clean water. But poor mothers around the world are often helpless to provide this care for their children, and that is why child survival funding is absolutely essential.

Just take a look at this chart, which details the simple ways that child survival funds can literally save millions of lives of the most helpless people around the world, the children.

First, seven cents. That is all it costs for oral rehydration salts that can save a child from dying of dehydration that has dysentery. Nearly 2 million children die of that a year.

Fifteen dollars provides a child with immunization against six major childhood diseases. Two million more children die of those around the world.

Six cents can provide three vitamin A capsules to save a child from going blind. One hundred million children suffer from this deficiency.

Fifteen dollars, a bed net, protects a child from malaria. More than a million children a year die from malaria.

Twenty-five cents could provide proper antibiotics to treat pneumonia. Two million children die of that.

One dollar and seventy cents improves sanitation to prevent waterborne diseases. Three million children die from that.

I think my colleagues can see what common sense some of these solutions are that have the potential for tremendous impact. What this chart also shows is that the current amount of funds appropriated for these treatments in child survival, $215 million, is grossly inadequate to meet the needs of dying children around the world.

Mr. Chairman, that is why every dollar we are currently designating for child survival must go directly for that, child survival. There are reports that child survival funds have been used to promote population control. Mr. Chairman, this robs children of live saving treatments.

Simply stated, this amendment seeks to prevent that from happening. It ensures that child survival funding is used for child survival. We already have $385 million for population control which can be used for family planning purposes. Child survival funds should and must be used for the purpose for which they are appropriated.

It is a simple amendment, it is taxpayer honesty, but in a very real sense it is a life and death issue for millions of children around the globe. Mr. Chairman, I urge the Members to support the child survival protection amendment.

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

The CHAIRMAN. Does the gentlewoman from California (Ms. PELOSI) seek to claim the time in opposition?

Ms. PELOSI. I do, Mr. Chairman.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) is recognized for 10 minutes.

Ms. PELOSI. Mr. Chairman, I yield 3½ minutes to the gentleman from Michigan (Mr. LEVIN).

□ 2215

Mr. LEVIN. Mr. Chairman, in the late 1970s I was in charge of administering the International Voluntary Population programs of this country. The big battle in those days was whether population programs should be integrated so that programs relating to family planning be integrated with health, with programs relating to the role of women, with programs relating to maternal child health, also programs relating to the role of men in the family.

There were those who wanted to build a brick wall between population programs, family planning programs, and other programs, including health programs.

Those who believed in integration won that battle. Those who thought that the only answer was availability of contraceptives lost that battle.

In the last decade, more and more the world has come to accept the interrelationship between family planning programs and other population programs, including maternal child health programs.

Well, here we are now with an amendment that tries to build a brick wall between population programs and child survival programs.

The truth of the matter is that that wall is as fallacious as the wall some tried to build 20 years ago between population and health programs. We are doing this in reverse. The spacing of children is a program that deeply relates to the health of children, period. The evidence is clear on that. It is a dreadful mistake to now say that child survival should not include anything that relates, for example, to birth spacing.

Let me read from a statement by CARE and Save the Children. And by the way, if any organizations know about child survival, it is CARE and Save the Children. They say, this latest amendment ''fails to appreciate both the integrated nature of maternal and child health services and the important role of birth spacing in improving child survival. Imposing this restriction would be impractical from a program implementation standpoint and would undermine rather than enhance access to this small but critical component of child survival programs,'' signed by the president of CARE and the president of Save the Children.

This is truly a misguided amendment. I do not think anybody is saying that child survival funds are going in large numbers to programs relating, for example, to the spacing of children.

Let us take a second look. This issue is not one related to abortion, for example. Indeed birth spacing cuts down the number of abortions, the evidence is clear. This is a question of whether we look at programs in a comprehensive way or try to chop them in pieces and build walls between them.

Do not do it. It is a mistake. There is no evidence of abuse. I do not know any organization that cares about kids internationally that is supporting this amendment.

Mr. PITTS. Mr. Chairman, I yield myself 30 seconds to respond.

Mr. Chairman, this discussion is not about birth spacing. However, I have made an exception for breast feeding programs in this amendment, an exception that probably was not necessary. But I want to make it clear that since breast feeding programs are designed to improve nutrition and health of children and incidentally have an effect in birth spacing, these programs do not apply as programs designed to control fertility or reduce or delay pregnancies. So children are given proper nutrition and births are spaced as a by-product.

Just to remind my colleague, any other population control effort can be funded out of the $385 million provided.

Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding.

Mr. Chairman, the gentleman from Pennsylvania (Mr. PITTS) has crafted an amendment to protect child survival funding from being detoured to other purposes.

This is not a misguided amendment. This is an amendment that provides integrity to the program's funds. But why do we want to do this? Why do we want to protect this? Every year more than 12 million children in developing countries die from easily preventable diseases.

That is like seeing one out of two children under the age 5 years here in the United States die from malnourishment or from a disease that could be easily prevented.

For seven cents we can provide oral rehydration salts. For $15 we could provide immunization for the six major childhood diseases. For six cents we can provide Vitamin A capsules. For $15 we can do something to help kids get a net to protect them from malaria.

When we have the opportunity to go to these Third World countries and preserve a quality of life for these kids, we should not turn our backs on it. We should not allow this money to be diverted to another purpose.

I have been to Third World countries, and I have seen it be diverted. I think it is important that we vote for the Pitts amendment. I request my colleagues to do that.

Ms. PELOSI. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in opposition to the Pitts amendment.

The Pitts amendment, as has been mentioned, prohibits use of child survival funding for programs designed to control ''fertility or reduce or delay childbirth or pregnancy except breast feeding programs.''

This amendment is offered under the inaccurate assumption that the child survival fund which is used to counsel women on health choices is an inappropriate use of this funding.

It is time for people to realize the simple fact that we cannot separate the health of the mother from the health and well being of the child.

I have this chart. It is hard to read, but I will try to walk my colleagues through it because it demonstrates very clearly why this is a dangerous amendment.

While we may be talking politics here and theorizing, the reality is in the Third World. It shows on this chart that in Zambia, for example, when children are spaced 2 years apart, the mortality rate is higher than if they are spaced farther apart.

Now, do not think of 2 years in the United States. Think of 2 years in the developing world. Do not think of my children. I had five children in 6 years, I mean almost to the day, in a very comfortable, secure, nourishing atmosphere. But this is the complete opposite of that. So I do know a little bit about of what I speak.

Then if we go to Tanzania, we see on the chart, 4 months the mortality rate is the red line. Four to 5 months, we see the purple line, the mortality rate goes down. We get to 48 months plus and the mortality rate is much lower.

So these funds from the child survival account are very, very important to child survival. That is what we are demonstrating here.

Now, the gentleman says this counseling can be done out of the Population Fund. Exactly. And that is what this amendment is about, reducing the funds available for population funding, family planning. That is what this amendment is about. Yes, it is important.

My colleagues cannot tell me that they do not recognize the importance of counseling on spacing of children and how that decreases the mortality rate. But, yes, that is important. Take it out of the family planning money.

That, my colleagues, is the essence of this amendment, indirect but very, very direct. Indirect in theory but direct in impact assault on the family planning funding.

For that reason, I urge my colleagues to vote against the Pitts amendment.

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

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

The CHAIRMAN. The gentleman from Pennsylvania (Mr. PITTS) has 4½ minutes remaining. The gentlewoman from California (Ms. PELOSI) has 3½ minutes remaining.

Mr. PITTS. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, the sign we just saw was accurate. There is no question about it. But the one thing that the gentlewoman from California fails to ignore, if we are holding a baby in our arms, like I have in Haiti and in Iraq, and the dollars are not there to care for them, it does not matter if they are going to have another baby because the baby that is there is going to die.

That is what this amendment is really about is whether or not we are going to fund the vaccines, the fluids, and the care for the children that are already born.

She is absolutely right. If we can extend the time between pregnancies, we do enhance the likelihood of living beyond 5. But remember, 40 percent of the children in Haiti now die under 5 anyway. Haiti, in our hemisphere, 40 percent are gone. Why? Because we are not supplying the needs of those children with the funds that we have today.

So I have been to Haiti. I have served time. I have experienced what has happened there. I have been to the Kurdish land in northern Iraq. I experienced what happened there. We do not supply the needs for the children that are alive today.

There is nothing wrong with this amendment that cannot help accomplish both what the gentlewoman from California (Ms. PELOSI) would desire and help those children who presently we are not helping.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I would like to make this point to my colleagues that our child survival program has for nearly 15 years worked hand in hand with our family planning program, for one very good reason, they both share the goal of advancing the health and well being of children and families.

When Congress created the child survival legislation, it recognized the relationship between educating women on safe motherhood and child survival. So educating women about the importance of good nutrition, getting immunized, spacing their pregnancies has been part of USAID child survival work.

Safe motherhood education makes up approximately 5 percent of child survival counseling funds. These funds are not used for contraceptives. Planning pregnancies is one of the most powerful and effective child survival tools in existence.

Postponing early, high-risk pregnancies, giving women's body a chance to recover from a previous pregnancy, and helping women to avoid unintended pregnancies and unsafe abortion can prevent at least one in four maternal deaths.

We hear again and again that women die from having children too young, having children too closely spaced together, and by having more children than their bodies can bear. Getting that message across to women is an integral part of child survival because healthier mothers will be better able to care for their children. And children born to mothers who wait 2 years before births have a much stronger chance of survival than those born to moms whose births fall less than 2 years apart.

Giving women this information can save children's lives, can save women's lives. We know from our own experience that this is true.

Just last month I joined with the gentlewoman from Missouri (Mrs. EMERSON) and a group of diverse Members, pro-choice, pro-life, Republican, Democrat, urban and rural, on a safe motherhood initiative in our own country.

We confront the same challenges in keeping women healthy that women face around the world, although not to the same degree.

Therefore, I urge my colleagues to oppose this misguided amendment.

We should be doing all we can to encourage and reinforce the messages of safe motherhood and child survival. The Pitts Amendment would split these efforts and undermine our struggles to help both mother and child.

I urge you to oppose this misguided amendment.

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

Mr. Chairman, the gentlewoman from California (Ms. PELOSI) has $385 million to do that. We are not cutting family planning.

Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Chairman, I rise in strong support of the child survival protection amendment.

After hearing the debate tonight, I wonder if maybe we should integrate the whole foreign operations appropriation bill into family planning.

I just have to say to my colleagues, we spend so much time on these appropriations bills identifying needs in foreign countries and we put them in the categories that are important to us as a Nation; and now we are saying this does not matter what category we put it in.

□ 2230

There are 1 million children that we know could be saved each year if the vitamins and nutrition and the medicine and the IVs would only be used for what we appropriate them for.

All we are asking is to do what we say we are going to do, to have some honesty in the appropriations. I urge my colleagues to vote for the gentleman from Pennsylvania's amendment.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. PITTS) has 2 minutes remaining, and the gentlewoman from California (Ms. PELOSI) has 1½ minutes remaining and the right to close.

Mr. PITTS. Mr. Chairman, I yield 30 seconds to the gentleman from North Carolina (Mr. HAYES).

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

Mr. HAYES. Mr. Chairman, I thank the gentleman from Pennsylvania for offering this very important amendment which does direct the attention at the needs of children, making sure that the born and the unborn children are given the proper attention and the sanctity of life is preserved.

I urge your support for the Pitts amendment. It is the right thing to do.

Mr. Chairman, I support the child survival protection amendment offered by Mr. PITTS. This amendment does not cost the taxpayers any more money. This amendment assures the funding that we are currently sending overseas is used to save children's lives rather than terminate them. Children in third world countries are dying of diseases such as polio and dysentery, diseases our children in the United States will never have to worry about due to the advancements in the American health care. But in developing countries, where public health standards are far inferior to ours, over 12 million children under the age of 5 die of these easily preventable diseases and malnutrition year. We are currently sending $385 million overseas for population control. We need to ensure these funds are used for the purposes which they were intended, saving children from diseases and malnutrition. Child Survival Funding provides oral rehydration salts, immunization for childhood diseases, and vitamins and nutrition supplements. I ask my colleagues to support the Child Survival amendment, and stand firm for the lives of children around the world.

Mr. PITTS. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, every day 33,000 children die from preventable causes. The gentleman from Alabama (Mr. CALLAHAN) has done hard work on this over the years. I have worked on this. The gentlewoman from New York (Mrs. LOWEY) just mentioned a moment ago, 15 years ago.

A little over 15 years ago, I joined with the gentleman from Ohio (Mr. HALL) and Gus Yatron not only in providing money for child survival, but in saving it. It was going to be zeroed out, and I offered the amendment to put it at $50 million that passed and went on to become law. But that is past.

We now know that there is so little money going to some of the most important aspects of child survival, and we need to make sure that there is a fire wall. Yes, money can be drawn down, the $385 million, and used in a way that works side by side with child survival money, but this very small amount of money—support for immunization, $25 million, that is all that is in this budget. Kids are dying from preventable diseases every day and we put a mere $25 million into that budget. That is outrageous. These kids are dying.

I would hope that we would at least make sure that from this scarce fund, these what we call direct impact programs, get this modest amount of money. Yes, it can work side by side with the family planning money, but let us not use or divert any additional moneys that could be used to immunize a kid from tetanus, from all of these preventable diseases, and also the oral rehydration salts that can save a child from diarrhea which is the leading killer of children around the world.

I think the gentleman from Pennsylvania has a very, very laudable amendment. It says there are different funds. Why should we put at risk this minimal amount of money, this modest amount of money used for these important goals? We have got the other money in the other spigot for family planning. I urge support for the Pitts amendment.

Ms. PELOSI. Mr. Chairman, completely agreeing with the gentleman from New Jersey that much more money needs to be in this bill, I am pleased to yield the balance of my time to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentlewoman from California for yielding me the time.

This is a sad moment. We are one of the most educated nations in the world. We spent decades teaching American women that spacing your children creates healthier babies and healthier mothers, enables you to nurture your children and support them economically. And now we are going to deny money to other countries where women and families are poorer so that they will be denied the opportunity to learn how to manage their fertility and space their children. It is an outrage, an outrage.

We all know the figures. Children who are born 10 months after the preceding sibling die far more often than children born 2 years apart. Why do we not want women in these other nations to have the knowledge to control their fertility and space their children? It has made stronger, healthier families in America, and it has made better, healthier children with greater opportunity.

I urge opposition to this amendment.

Mr. LEVIN. Mr. Chairman, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Michigan.

Mr. LEVIN. The gentlewoman from Connecticut was so eloquent, I hesitate to say anything. We fought to integrate family planning and health programs with the support of a number of people in this place. Now what you are doing is standing up and saying tear them apart. The gentlewoman is 100 percent right. Let us defeat this amendment.

Mr. BARCIA. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Pennsylvania, which will ensure the health and security of children around the world. This amendment will make certain that money designated for child survival in foreign countries will be spent on programs that directly contribute to child survival—not population control. In this day of medical technology, millions of children in developing countries die each year from diseases that simple treatments can easily prevent. Our money should be spent on immunizations and medicine that will end these senseless deaths. This amendment protects children and spends our tax dollars responsibly. Mr. Speaker, I urge my colleagues to support the Pitts Amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS).

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

Mr. PITTS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 263, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) will be postponed.

AMENDMENTS OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. The Clerk will designate and report the amendments.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TRAFICANT:

At the end of the bill, insert after the last section (preceding the short title) the following new sections:

SEC.____. Of the funds appropriated in title II of this Act under the heading ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'', not more than $172,000,000 shall be available for the Government of the Russian Federation.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

SEC. ____. None of the funds appropriated in titles I, II, or III of this Act may be made available to the government of any foreign country if the funds are to be used to purchase any equipment or product made in a country other than such foreign country or the United States of America.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio to consideration of the amendments en bloc?

There was no objection.

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

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

Mr. CALLAHAN. Mr. Chairman, we have worked very closely with the gentleman. We are going to agree with his amendments. But at this point we would like to limit the debate to the fewest number of minutes that we possibly can so we can hopefully finish this bill by 11:59 tonight.

Mr. TRAFICANT. Mr. Chairman, the first amendment sets a cap on aid to Russia for dismantling of their nuclear weapons at $172 million.

The second amendment says very simply, in the aid that we give to these foreign countries, if they cannot make the product or buy it in their own country, they shall buy it in America.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendments were agreed to.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROHRABACHER:

Page 104, beginning on line 19, strike '': *Provided,*'' and all that follows through line 21 and insert a period.

Mr. ROHRABACHER. Mr. Chairman, I rise to amend section 573 of H.R. 2606 that would assure that all U.S. funds appropriated by this act for Cambodia, including humanitarian and education programs, are distributed through nongovernmental agencies.

The government of Cambodia, led by former Khmer Rouge field commander Hen Sen, a brigade commander under Pol Pot, who was up to his elbows in blood during the Pol Pot massacres, is notorious for corruption and mismanagement. In fact, the most highly acclaimed internationally funded aid program for land mine clearing, run by the Cambodian government, has just been exposed for rampant graft and corruption. Even after the corruption was exposed, no effort has been made to replace the government officials running that program.

Respected international human rights organizations, including Amnesty International, Human Rights Watch and others have issued a recent report citing continued rampant abuses by the Cambodian government. Unfortunately, the inclusion of Prince Ranariddh and his Funcinpec party in a coalition led by Hun Sen has not reduced this corruption. It is not the job of the United States Government to pay for government-run education systems in Cambodia when they are led by a government that is controlled by a member of Pol Pot's murderous band. However, we can support NGOs who do not take orders from the likes of Hun Sen and the likes of these gangsters.

In the authorization bill for this, we went out of our way to make sure that the money authorized for Cambodia, all of it, would not be put under the control of Hun Sen, this gangster. But for whatever reason it ended up, the language was changed here in the appropriations bill, so we are just asking to strike the language there so that no money is going to be going to that corrupt and vicious tyrant.

My amendment will not reduce the amount of U.S. funding for Cambodia. However, it will assure that U.S. tax dollars intended to assist the needy of Cambodia and to assist in education projects go to fund education projects by NGOs which will assure that the money is spent to assist the Cambodian people and not end up in some Swiss bank account.

This amendment sends a strong message to Hun Sen and Prince Ranariddh and a message that honest, efficient government is required in order to receive American aid. This amendment also sends a strong message to the people of Cambodia that the United States has not abandoned them or their courageous struggle for democracy and clean and honest government.

Mr. Chairman, I have been to Cambodia numerous times. I know the players there. I have met Mr. Hun Sen on many occasions as I have Prince Ranariddh and the other leaders in Cambodia. I am appalled that after the hard work that we did in the authorization committee, to ensure the language so that this field commander for Pol Pot who has murdered his way into power in Cambodia, that we assure that the money that we are going to give to Cambodia would not end up in his hands and now that language has been changed for whatever reason in a way that the money could end up, instead of in the hands of worthy organizations, nongovernmental organizations, charitable organizations committed to the people of Cambodia, instead of going to them, it may end up in the hands of this government that has proven itself corrupt over and over again, not to mention brutal and the rest.

The crimes of Hun Sen are unbelievable and the fact that, yes, he went through a recent election. As the gentleman from Nebraska (Mr. BEREUTER) and others in the Committee on International Relations can testify, it is beyond belief that we have permitted Hun Sen to manipulate the system such that he is still in power after all of these years. But the last thing we want to do, especially as the corruption level in Cambodia is so high, is to provide the money that should be going to the Cambodian people to this corrupt regime. I ask for support for my amendment.

Mr. HALL of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I visited Cambodia in April. I spent a lot of time not only in the capital but outside in the rural areas. I found that the legacy of illiteracy and malnutrition that Pol Pot has left the Cambodian people is still there, it is so much there that it is unbelievable, of the statistics, as you see and witness the people in the countryside.

In Cambodia's countryside, four out of five people cannot read or write. Just one in four children is in school. And hunger and malnutrition, caused in part because their uneducated parents cannot escape terrible poverty, is among the highest in the world.

This widespread lack of education ensures that Cambodians will not be able to make much of their lives. They will not be able to feed their families. They will not be able to take advantage of their country's position at the crossroads of a vibrant regional economy.

Cambodia has many problems. But when you see the situation of its people, it is hard to know where to start trying to help.

The scourge of AIDS is spreading like wildfire in Cambodia. Land mines have left Cambodia the place with more people killed and maimed per capita than anywhere else in the world. There are very few roads to get farmers' products to market. And, 20 years after the Khmer Rouge bloody rein ended, there has been no justice for its victims or their children.

□ 2245

The grandchildren of the victims of the Khmer Rouge are the best hope for Cambodia's future, and the best way to help Cambodia is with them, by assisting and educating them, by ensuring that they are protected from disease, by helping to feed the majority who are so malnourished that their bodies are stunted.

This bill does not earmark additional funding for Cambodia, although the drop from $37 million to $12 million in spending over the past 2 years may have warranted that. But this bill will enable our embassy to re-start programs like one undertaken by well-respected American charities. In April 1996, more than a year before the coup, the World Learning, the World Education, Save The Children and the International Rescue Committee began a project to train Cambodian primary

school teachers. This is where the money goes. Does not go to the government, does not go through the government. This project received no funds from the Cambodian government, it did not rely on its ministries to implement the work. It benefited the children of Cambodia and the rural areas that are home to 87 percent of the Cambodian people. Unfortunately, this project was suspended.

Mr. Chairman, all that is required of us today is to affirm that humanitarian aid still means educating young children so that they can escape the poverty they were born into, and all that is called for is our acceptance that helping people help themselves is one of the best ways to invest our aid dollars.

That is all I have to say about this, Mr. Chairman. I rise certainly in opposition to this amendment. It is an unfair amendment. I venture to say that the gentleman has not gone into the countryside and seen that four out of five of the children are not educated, the schools have been closed, and one of the best things that we can do is provide humanitarian assistance.

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

Mr. HALL of Ohio. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, the gentleman does not know the extent of my travels in Cambodia, I will just say that, and this gentleman has no problem with money going to those private organizations to accomplish the goals the gentleman was talking about. All we are talking about is language that is changed in this bill that will send that money to the Cambodian government to accomplish those ends, and we have no faith in the Cambodian government.

Mr. HALL of Ohio. Mr. Chairman, I would just say to the gentleman from California (Mr. ROHRABACHER) that the money will go to the private voluntary organizations, the organizations that are already there. It will be monitored by our embassy that is in Cambodia; I trust them. We do basic education in many countries of the world with regimes that we do not necessarily get along with. This is nothing new. The fact is that four out of the five children that the gentleman from California says that he saw in the rural areas, which I find hard to believe that he saw it, schools are closed, the Pol Pot legacy still lives on, and the gentleman wants to keep them this way, and that is what basic education is all about. It is a humanitarian resource that we are very good at, and the gentleman from California is not permitting it with this amendment.

Mr. BEREUTER. Mr. Chairman, I move to strike the last word and rise in support of the amendment offered by the gentleman from California (Mr. ROHRABACHER).

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

Mr. BEREUTER. Mr. Chairman, I rise in strong support of the Rohrabacher amendment, and I am pleased to support it.

As my colleagues know, as I was listening to the gentleman from Ohio (Mr. HALL), he spoke movingly about the conditions in Cambodia, and I have no doubt that he and the gentleman from California have both seen the same deplorable conditions that exist there, but there seems to be something missing here. It seems we are talking beyond each other.

There is no intent of the gentleman from California, I am sure, there is no intent of this gentleman to stop any funds from going to assist the people in Cambodia. In fact, I think the three of us might agree we ought to be giving more resources to help the people in Cambodia.

What the gentleman from California is attempting to do is assure that no U.S. taxpayers funds goes to the government of Cambodia, and that is what this Congress did last year in the appropriation measure, because this gentleman offered the amendment. We eliminated the possibility of money going to the Cambodian government. We want it to go through those NGOs where my colleagues saw the good work being done, and there is nothing to keep AID or any other institution of American government from providing authorized funds which are appropriated to nongovernmental organizations for valid purposes in Cambodia. And in fact, the authorizing committee has taken this step as well.

Now I would like to say the gentleman from California (Mr. ROHRABACHER) is exactly right in the way he has characterized the outrageous people that run that government. We ought not be putting one cent of the taxpayers' money into that government. When we do, we send exactly the wrong message, that we tolerate the kind of murderous people that are running that country. That is something I tell my colleagues as the chairman of the Subcommittee on Asia and the Pacific this government ought not do, and that is the direction we have given to the Executive Branch.

Now let me give my colleagues one example of how the government of Cambodia is using some of the funds today. Let us talk about the Cambodian Mine Action Center. About one out of every 250 people in Cambodia have been injured or killed by mines, and it is a serious problem, there is no doubt about that.

Well, according to reports in the Australian, the newspaper, one of the most prestigious newspapers in Australia, according to the South China Morning Post, the most important newspaper in Hong Kong, the nepotism, the corruption that has existed in this mining program where the leaders of that government are directing funds to go to demine the land of their cronies, of their political people from the Pol Pot regime is outrageous. Of the $12 million that are spent so far, at least 1 million, 1.3 million, has been spent corruptly. In fact, the executive director of that agency admitted in a press release that at least a half a million dollars of it had been spent in that fashion.

And we have colleagues in the most prestigious academic institutions in this country with specialists on Cambodia which will verify that a minimum of one-tenth of the money on that government-run program to demine is being misused for the advantage of the cronies of the government.

Now that is the way the Cambodian government uses their money. That is the way they take the international funds. Fortunately, it is not involving U.S. funds because we have acted.

Now both of these newspapers have reported that we have held up $1 million. Our ambassador in Phnom Penh held up $1 million plus to keep it from going to this corrupt entity of the Cambodian government.

Mr. Chairman, my colleague's instincts were right last Congress, they are right in the authorizing committee. We stripped, eliminate, prohibit any funds from going to Cambodian government, and, if my colleagues will, send a lot more to help the people of Cambodia through NGOs.

Mr. Chairman, I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I rise in support of the gentleman's comments. They are right on the point, and I also rise in support of the gentleman from California (Mr. ROHRABACHER) in trying to prevent any of the funds in this measure to go to the government of Cambodia, and I think, if the gentleman from Ohio (Mr. HALL) will reread the measure, he will note that the language permits funding in this measure to go to the government of Cambodia. We want it to go to the NGOs, we want to help the people in Cambodia, but we do not want it to get into the wrong hands.

Prime Minister Hun Sen is a dictator who was once an active member of the Khmer Rouge and it is alleged he stole the election in Cambodia. He is also alleged to have been linked to a recent assassination attempt against the democratic opposition leader Sam Rainsy. Eighteen people and an IRI worker were injured and killed in that recent attempt, and last year during the election 124 opposition election workers were murdered.

The CHAIRMAN. The time of the gentleman from Nebraska (Mr. BEREUTER) has expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 1 additional minute.)

Mr. BEREUTER. Mr. Chairman, I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, Hun Sen's government cannot be trusted, we must not permit our money to be wasted. Current law permits the money to be given to the NGOs in Cambodia. Let us not change the law and allow the money to go into the wrong hands.

Mr. BEREUTER. Mr. Chairman, I thank the distinguished gentleman for his support for the Rohrabacher amendment. I urge my colleagues to support the Rohrabacher amendment to prohibit aid from going to the corrupt murderous government of Cambodia.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ANDREWS: 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.

Mr. ANDREWS. Mr. Chairman, the purpose of this amendment is to put a stop to a program that I believe is corporate welfare, pure and simple. We have heard on this floor tonight some agonizing debates about spending small amounts of money for vaccinations, for child health, for family planning, and those are difficult questions for us to answer.

I would suspend if the Chair wishes me to suspend.

Mr. CALLAHAN. Mr. Chairman, I want to reserve a point of order.

The CHAIRMAN. The gentleman from New Jersey may proceed.

Mr. ANDREWS. Mr. Chairman, who among us has not had to face some agonizing and difficult questions as constituents come to us and talk about their lack of health insurance, or they talk about their lack of employment, or they talk about their lack of housing. I think those same constituents would be astonished, astonished to find that the full faith and credit of the United States Government, their tax money, stands behind private investments in foreign countries by the McDonalds Corporation, by Du Pont, by CitiCorp, by some of the largest and most powerful corporations in America.

The President of the United States, Mr. Chairman, said very articulately a few years ago that it was his goal to end welfare as we know it. Tonight in this amendment we have the chance to begin the process of ending corporate welfare as we know it.

Now there will be those who will object to this amendment and say we just cannot pull the plug on the OPIC program all at once, it would cause chaos, and that is not what this amendment does. This amendment says that no funds under this bill may be used to authorize new expenditures, new loan guarantees, new insurance policies. It says to OPIC that they must stop with the deals they have already done.

And let me make a procedural point. My colleagues very often hear that these appropriations bills are not the proper forum to decide policy questions, and I generally agree with that. Let me point out to my colleagues that OPIC was not reauthorized through the regular process, and I believe it is a prudent thing for us to do to stop the activities of this corporate welfare agency in its tracks and permit an authorizing bill to come to this floor so that those of us who believe that the OPIC program should be organized in a different way or done away with, as I believe, would have the opportunity to fully debate that question.

Mr. Chairman, this is an opportunity for us to say that the programs that have been done thus far should continue as they wind down, but that no new loans, no new guarantees, no new authority should be issued on behalf of the taxpayers of this country to the wealthiest and most powerful corporations in this country to invest overseas. There are far better uses of our tax dollars than for Uncle Sam to become a risky international venture capitalist.

Support of this amendment which I am proud to offer with my Republican colleague, the gentleman from South Carolina (Mr. SANFORD), my independent colleague, the gentleman from Vermont (Mr. SANDERS) and supported by fine Members like the gentleman from California (Mr. ROYCE) would accomplish what I have just suggested.

It would stop the programs of OPIC in their tracks. It would permit us to come forward and debate a reauthorization at the proper time, and it would save the taxpayers money. The Congressional Budget Office has estimated that cessation of OPIC's activities would save the Federal taxpayers $296 million over the course of the first 5 years.

Let us end corporate welfare as we know it. I urge my colleagues to support this amendment and put a stop to this corporate welfare.

□ 2300

Mr. CALLAHAN. Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN. The Chair would inform the gentleman that the gentleman attempted to reserve a point of order after the gentleman from New Jersey began to debate his amendment, which was not a timely reservation.

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

Mr. Chairman, I rise in support of this amendment. OPIC, as we have heard, offers insurance and credit services to American companies operating overseas, and for me, having our government provide these services is just not defensible. The U.S. has the most efficient financial markets in the world. The simple fact is that American businesses receiving OPIC services could receive these same services from the private financial markets. OPIC provides insurance; so does the American private sector. In fact, 2 years ago, a consortium of private insurers submitted to Congress a proposal to privatize 5 billion of OPIC's insurance options.

The U.S. private sector wants to offer American businesses the very same services that OPIC is providing. In other words, the U.S. private sector wants to put OPIC out of business. So why is Congress standing in the way?

We hear that OPIC offers American companies insurance backed with the full faith and credit of the United States Government. This supposedly tells foreign governments that Uncle Sam is serious about protecting OPIC-backed investments. Is that the signal we want to send, that the protection of some American businesses abroad, those formerly backed by OPIC, matter more than non-OPIC American investments. We should be in the business of protecting all American investments. OPIC backs investment funds; so does the American private sector. OPIC has a south Asia capital fund. Well, so does T. Rowe Price. It has a new Asia fund, and so do many other private companies. Just look at the financial pages of the newspaper. There are hundreds of capital funds devoted to the developing world. Mr. Chairman, 150 billion in private capital flows to emerging markets every year, so why in the world is OPIC playing in the capital fund field?

Mr. Chairman, this debate is really about whether we believe in the market, or whether we believe that American businesses should be guided by the government. OPIC claims that there is no way right now that the private sector on its own can go into many regions that the U.S. wants them to go into, and this means, of course, going where U.S. Government agencies want American companies to go. Are U.S. businesses really there to be directed to where Washington wants them to go? I do not think so.

I would also dispute the notion that the American private sector will not go anywhere in the world where it can do business profitably. A spokesman for a major American bank, in discussing its use of OPIC for the Caribbean and Central America recently stated, quote, the credit and insurance support provided by OPIC will allow us to better serve customers by noticeably increasing our already extensive lending activities in the targeted countries. Note those words. The bank is already in the Caribbean and Central American markets doing excessive lending and doing it without OPIC. OPIC may be a nicety, but it is certainly not a necessity.

Every year, we hear the argument that the U.S. needs OPIC because European countries and Japan provide their businesses with similar services. It is, I would remind my colleagues, U.S. policy to work against such trade-distorting policies.

We have come to understand that the world economy works better, that living standards rise, when governments are not in the business of subsidizing their national businesses. But each year, we continue supporting OPIC, renewing this cycle of inefficiency. American companies have private creditors and insurance providers to rely on. I bet they would serve OPIC clients better.

Let us support this amendment. Show some world leadership, scale back OPIC. The greatest economy in the history of the world I guarantee my colleagues will not miss a beat if we cut out this government program.

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

Mr. Chairman, I rise in support of the Andrews-Sanford-Sanders amendment to the Foreign Operations Appropriations bill. OPIC subsidizes U.S. companies that invest in risky foreign markets and businesses by providing them direct and low-cost financing and insurance. While claiming to help America's small businesses invest in foreign markets, OPIC actually provides loans and risk insurance to some of the largest multinational corporations in the world. And while claiming to invest in sustainable development projects, OPIC has been involved in clear-cutting pristine forests in northwestern Russia, and a gold mine, a gold mine in a World Heritage site.

Through OPIC, U.S. taxpayers are exposed to environmentally, financially, and politically risky private sector investments, the implications of which, in many cases, are not even disclosed to the public.

The government should not be in the business of committing billions of taxpayer dollars to underwrite the investments of Fortune 500 companies. This is corporate welfare at its worst.

As has been said earlier, OPIC puts taxpayers at risk. It obligates the taxpayer to underwrite insurance for the possible loss of private investment by the richest companies in America. The Congressional Research Service estimates that the taxpayer is typically liable for 90 percent of the insured investment. Americans have already paid $80 billion to bail out the savings and loan industry; we should not ask them to pay if OPIC's projects go bad.

These multimillion dollar companies are fully capable of assuming the risk of investing in developing countries. They do not need government insurance of their foreign investments, but the substantial profits they gain from these investments, while American taxpayers are held financially responsible for any potential losses, looks pretty good on the bottom line.

OPIC is not necessary for investments in emerging and developing markets. In 1998, private capital flows to emerging markets topped $150 billion. U.S. capital outflows to Brazil in 1998 totaled $3.7 billion, yet OPIC offered $317 million worth of insurance to U.S. companies investing in Brazil over the same period.

It has been pointed out by the gentleman from South Carolina (Mr. SANFORD) and the gentleman from Oklahoma (Mr. COBURN), and I would like to state it again: OPIC does not operate at zero cost to the taxpayers. Although OPIC does not receive a direct appropriation, it pays for many of its operations with the interest earned on its U.S. Treasury bonds, bonds given to OPIC as seed money when it was established. In 1998, the agency reported $139 million in net income; yet, $193 million of its revenues consisted on interest from its U.S. Treasury bonds, another large government IOU.

Mr. Chairman, I urge my colleagues to support the Andrews-Sanford-Sanders amendment and prevent OPIC from initiating any new projects.

Mr. CALLAHAN. Mr. Chairman, I move that the Committee do now rise.

PARLIAMENTARY INQUIRY

Mr. SANDERS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SANDERS. Mr. Chairman, what is the status of this amendment?

The CHAIRMAN. The amendment offered by the gentleman from New Jersey (Mr. ANDREWS) is currently pending and will be pending again when the Committee resumes its sitting.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, 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. 2606), making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

□ 2310

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000, IN THE COMMITTEE OF THE WHOLE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 2606 in the Committee of the Whole, no amendments shall be in order except the following amendments, which may be offered only by the Member designated and shall be considered as read, shall not be subject to an amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for 10 minutes, except for the Burton amendment, which shall be debatable for 50 minutes, equally divided and controlled by the proponent and a Member opposed thereto:

1, an amendment offered by the gentleman from Indiana (Mr. BURTON) regarding a reduction in aid to India;

2, an amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) transferring $4 million from IMET to ERMA and ESF;

3, an amendment offered by the gentleman from Texas (Mr. PAUL) prohibiting funds for family planning and abortion;

4, an amendment offered by the gentleman from Texas (Mr. PAUL) prohibiting funds for Eximbank, OPIC and TDA;

5, an amendment offered by the gentleman from Florida (Mr. STEARNS) requiring a report on actions in Kosovo;

6, an amendment offered by the gentleman from Florida (Mr. HASTINGS) expressing the sense of Congress regarding flower imports from Colombia;

7, an amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) prohibiting military funds for Eritrea and Ethiopia;

8, an amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) expressing the sense of Congress regarding peace between Eritrea and Ethiopia;

9, an amendment offered by the gentleman from Ohio (Mr. KUCINICH) regarding OPIC;

10, an amendment offered by the gentleman from Colorado (Mr. TANCREDO) regarding Man in the Biosphere.

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

Ms. PELOSI. Mr. Speaker, reserving the right to object, under the reservation, may I make inquiry to the distinguished chairman about the nature of this resolution?

The SPEAKER pro tempore. Proceed.

Ms. PELOSI. Mr. Speaker, I would ask the gentleman, is it my understanding that the amendments that we would be taking up after the Andrews amendment are limited to the amendments that are on this piece of paper?

Mr. CALLAHAN. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alabama.

Mr. CALLAHAN. That is correct, Mr. Speaker.

Ms. PELOSI. Therefore, say, for example, if the gentleman from Ohio (Mr. KUCINICH) had an amendment and he wanted that to be heard on Monday when we reconvene, he would have to be on this piece of paper, or can we make additional——

Mr. CALLAHAN. On the Kucinich amendment, that is included as item No. 9 in the resolution.

Ms. PELOSI. I thank the gentleman. I just wanted to make sure that the gentleman from Ohio (Mr. KUCINICH) did not have an additional amendment.

I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 263 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2606.

□ 2313

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 6 offered by the gentleman from New Jersey (Mr. ANDREWS) was pending.

Pursuant to the order of the House of today, no further amendments shall be in order except the following amendments, which may be offered only by the Member designated, be considered as read, shall not be subject to amendment, or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for 10 minutes, except for the Burton amendment, which shall be debatable for 50 minutes, equally divided and controlled by the proponent and a Member opposed thereto:

No. 1, an amendment offered by the gentleman from Indiana (Mr. BURTON) regarding a reduction in aid to India;

No. 2, an amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) transferring $4 million from IMET to ERMA and ESF;

No. 3, an amendment offered by the gentleman from Texas (Mr. PAUL) prohibiting funds for family planning and abortion;

No. 4, an amendment offered by the gentleman from Texas (Mr. PAUL) prohibiting funds for Eximbank, OPIC, and TDA;

No. 5, an amendment offered by the gentleman from Florida (Mr. STEARNS) requiring a report on actions in Kosovo;

No. 6, an amendment by the gentleman from Florida (Mr. HASTINGS) expressing the sense of Congress regarding flower imports from Colombia;

No. 7, an amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) prohibiting military funds for Eritrea and Ethiopia;

No. 8, an amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) expressing the sense of Congress regarding peace between Eritrea and Ethiopia;

No. 9, an amendment offered by the gentleman from Ohio (Mr. KUCINICH) regarding OPIC;

No. 10, an amendment offered by the gentleman from Colorado (Mr. TANCREDO) regarding Man in the Biosphere.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that debate be limited on the pending amendment to 10 minutes, as all the rest of them.

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

Is the gentleman from Alabama requesting that all amendments to the pending amendment be included?

Mr. CALLAHAN. Yes, Mr. Chairman.

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

Mr. SANDERS. Reserving the right to object, Mr. Chairman, I was not quite clear, was the gentleman talking about a total of 10 minutes, 10 minutes on each side? What was the gentleman talking about for the Andrews amendment, how much time?

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

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

Mr. CALLAHAN. 10 minutes.

Mr. SANDERS. A total?

Mr. CALLAHAN. 10 additional.

Mr. SANDERS. Five and 5?

Mr. CALLAHAN. Yes.

Mr. SANDERS. Mr. Chairman, I object.

Mr. OBEY. Mr. Chairman, if the gentleman will yield, would the gentleman withdraw his objection?

Mr. SANDERS. I withdraw my objection.

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

Mr. OBEY. Reserving the right to object, Mr. Chairman, let me ask the distinguished chairman of the subcommittee, we have been told that what has happened is there have been four or five speakers in a row on this, on one side. So we are getting objections, both from that side of the issue, as evidenced by the gentleman from Vermont (Mr. SANDERS), and we have objections on the other side of the issue.

Could I ask, would Members on both sides be satisfied if it were 20 minutes apiece?

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

Mr. OBEY. I yield to the gentlewoman from California.

Ms. PELOSI. No, 10 minutes each.

Mr. OBEY. Ten is fine with me, but I am told that we have objections if it is 10 minutes.

Mr. SANDERS. Mr. Chairman, continuing under the reservation of objection, if the gentlewoman will yield, if I could ask the chairman how many speakers does he have left?

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

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

Mr. CALLAHAN. I do not know. We did not anticipate this amendment would be introduced. We were informed by one of our colleagues, the gentleman from Texas, that he had an agreement with the sponsor of an amendment where it would not be introduced.

Ms. PELOSI. Mr. Chairman, would it be agreeable to all sides if we went 10 minutes on each side, finished it tonight, took the votes, went home and took the rest on Monday?

Mr. CALLAHAN. I want to amend my unanimous-consent request.

Mr. MENENDEZ. Reserving the right to object, Mr. Chairman, under my reservation, unfortunately, I happen to be the ranking member on the authorizing committee on this issue. None of the people who support OPIC have had an opportunity to speak. So depending upon how those 10 minutes are divided, otherwise, I would have to object.

If the 10 minutes are to be divided on behalf of those who have not had any opportunity to speak in favor of OPIC and against the amendment, we may be able to do that, but if the 10 minutes are to be divided between all the parties, I would have to object.

Mr. CALLAHAN. If the gentleman will yield further, Mr. Chairman, I would agree with the gentleman, that the proponents of the amendment have already spoken 20 minutes without any opposition having the opportunity to speak, and it is unfair to those of us who disagree with the gentleman's amendment not to have the same amount of time.

But I do not think the gentleman would agree to give me 30 minutes and take 10 himself. But I also make that request, if the gentleman thinks he would agree.

Mr. SANDERS. Mr. Chairman, I would respectfully object to that.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent to limit debate to 30 minutes to each side of the issue.

Ms. PELOSI. If the gentleman will yield, is that tonight, on Monday?

Mr. SANDERS. Thirty minutes each side tonight?

Mr. CALLAHAN. Fifteen minutes on each side tonight.

The CHAIRMAN. The request of the gentleman from Alabama (Mr. CALLAHAN) is that each side have 15 additional minutes on the pending amendment and all amendments thereto.

Is there objection to the request of the gentleman from Alabama?

Mr. TRAFICANT. Reserving the right to object, Mr. Chairman, would it be out of order to ask unanimous consent, of course we cannot, there is one pending, but for us to go ahead and suspend this, have the 30 minutes debate, have the four votes first, and then conclude with the Andrews amendment?

Mr. CALLAHAN. First, the unanimous consent has to be agreed to by the Chair.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama, 15 minutes on each side?

Mr. MENENDEZ. Reserving the right to object, Mr. Chairman, let me understand the unanimous consent request

again. It is to have 15 minutes on each side of the aisle?

Ms. PELOSI. Each side of the issue.

Mr. MENENDEZ. Each side of the issue?

The CHAIRMAN. The gentleman is correct.

Mr. TRAFICANT. Reserving the right to object, Mr. Chairman, and I will object, I ask unanimous consent that we suspend with the Andrews amendment, that we proceed with the votes, and then they have their 30 minutes to conclude the Andrews amendment, and that vote will be taken Monday.

□ 2320

It will give everybody an adequate amount of time. We will have the votes. Members want to leave here. Everybody who wants to speak will have an opportunity to speak, and that will be a pending vote coming Monday. All those other members that are pending can be handled Monday.

The CHAIRMAN. The pending request is the unanimous consent request offered by the gentleman from Alabama (Mr. CALLAHAN), limiting time on the pending Andrews amendment and amendments thereto to 15 minutes for each side.

Is there objection to the request of the gentleman from Alabama?

Mr. TRAFICANT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. TRAFICANT. I ask unanimous consent, Mr. Chairman, that the pending amendment by the gentleman from New Jersey (Mr. ANDREWS) be suspended and that the Committee proceed with the votes that have been scheduled.

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

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

Mr. CALLAHAN. Mr. Chairman, why does the gentleman from Ohio not first establish the amount of time of debate, and we will rise.

The CHAIRMAN. The Chair asks all Members to suspend.

The gentleman from New Jersey (Mr. ANDREWS) would have to, by unanimous consent, withdraw his amendment and get permission in the full House, where a special order has already been entered on permissible amendments, to reoffer his amendment for such a procedure to be permitted in the Committee of the Whole.

The pending amendment is the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

Ms. PELOSI. Mr. Chairman, in the interest of time, and under the way the 5-minute rule works, that is, people come and it is not divided on each side of the issue, which is the way the 5-minute rule works, the gentleman from Alabama (Mr. CALLAHAN) and I have worked very hard to try to bring something that was honed down, with minimal controversy, to the floor.

Clearly, the House must work its will, and it is doing so, largely with authorizing issues, I might add, I mean debates that have been carried over from the authorizing committee; and that is completely appropriate.

But recognizing all that we have been through today, I ask unanimous consent that each side of the amendment have 10 minutes, and then we take the vote and proceed with the other votes this evening.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

Mr. MENENDEZ. Mr. Chairman, I have to object.

The CHAIRMAN. Objection is heard

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that the pending Andrews amendment be given an additional 30 minutes to be equally divided and that the debate take place after the House has completed its votes on the pending amendments; and any recorded vote, if called by the gentleman from New Jersey (Mr. ANDREWS), would be then, thus, held Monday as the first order of business.

The CHAIRMAN. The Chair would inform the gentleman from Ohio (Mr. TRAFICANT) that the Committee of the Whole does not have the authority that the gentleman is requesting.

Mr. CALLAHAN. Mr. Chairman, if we are still in the Committee of the Whole, I rise to speak in opposition to the Andrews amendment.

Mr. Chairman, the effect of the Andrews amendment, which we really did not anticipate would be introduced, especially at this late hour of the night, comes at a surprise because we were of the understanding that he was not going to introduce it.

So with the misinformation that I had regarding that what someone thought was a commitment, I speak against the Andrews amendment because, effectively, what he does, he shuts down the Overseas Private Investment Corporation.

The Andrews amendment would devastate the ability of our American companies from doing business in any foreign country. It would give such tremendous advantage to our foreign competitors, because every one of the G–7 Nations have, in effect, in their country an organization similar to this.

The sponsor of the amendment indicated that OPIC costs us money. In reality, Mr. Chairman, let me tell my colleagues that OPIC makes money. They intend to return nearly $200 million to the Treasury to help us continue to decrease our level of deficit spending. We should compliment organizations such as that.

It would hurt U.S. jobs, because when we have the inability to transfer our technology, to transfer our American interest to foreign countries, those jobs are going to go to other countries. So we are going to lose an estimated 70,000 U.S. jobs alone in the next 4 years.

It would hurt our export. It would hurt small businesses who contribute to the multifaceted involvement of our American firms doing business in foreign countries.

It hurts our competitiveness. It hurts everything that we stand for with respect to our ability to recognize that we are in a global economy, that if we are going to expand, if we are going to have exports, our American companies must have the same advantages, a level playing field, as does Japan, as does France, as does Germany, as does the Great Britain, and all of the countries that we are competing with for our businesses overseas.

For an example, if General Electric or Westinghouse, if we built a power plant that is not financed by, but guaranteed by OPIC, they do not put some type of Japanese generator there. They put an American generator there. As a result, jobs are created here in the United States of America.

This is not something that is new. It has come up in the past. I am sure it will come up in the future. But the sponsor of the bill, in my opinion, is making a very serious mistake in his amendment, which effectively shuts OPIC down entirely.

It tells the bank, OPIC bank, that they can continue to collect the monies that they are collecting now, but they cannot have any new deposits, they cannot have any new business at all coming in in the future.

So it is a very, very definite move, I think, in the wrong direction.

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. LAHOOD) having assumed the chair, Mr. THORNBERRY, 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. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

□ 2330

LIMITING DEBATE ON ANDREWS AMENDMENT DURING FURTHER CONSIDERATION IN THE COMMITTEE OF THE WHOLE OF H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that when we return for debate on this bill, that the amendment offered by the gentleman from New Jersey (Mr. Andrews) have a time limitation of 30 minutes, divided equally, 15 minutes for proponents and 15 minutes for opponents.

The SPEAKER pro tempore (Mr. LAHOOD). IS THERE OBJECTION TO THE REQUEST OF THE GENTLEMAN FROM ALABAMA?

Mr. ANDREWS. Reserving the right to object, and I will not object, one of the things I wanted to make clear is that the chairman, I am sure in good faith, made a representation earlier there had been an agreement by me not to offer this amendment. That is not accurate. I did not make any representation to anyone to that effect, and I wanted to clear that up for the record.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. MENENDEZ. Reserving the right to object, can the distinguished chairman advise me when this debate is going to commence on Monday?

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

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

Mr. CALLAHAN. I am informed that we will begin debate on this issue at 4 o'clock on Monday.

Mr. MENENDEZ. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The Chair would inquire if the unanimous consent request assumes that the amendment will be reoffered at a subsequent time when the Committee resumes its sitting on a subsequent day?

Mr. CALLAHAN. I felt, Mr. Speaker, that the pending amendment would be the order of business at that time.

The SPEAKER pro tempore. At a subsequent time, not this evening; is that correct?

Mr. CALLAHAN. At a subsequent time, yes.

Ms. PELOSI. Mr. Speaker, reserving the right to object, and just in protecting the rights of the gentleman from New Jersey (Mr. ANDREWS), when we are talking about a subsequent time, so that he knows, will this debate on his amendment begin, the proceedings, at 4 o'clock on Monday; is that the correct understanding?

Mr. CALLAHAN. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alabama.

Mr. CALLAHAN. The purpose of my unanimous consent is to come back into session at 4 o'clock on Monday next, at which time, when the Committee of the Whole is reestablished, we would then be on the Andrews amendment. At that point there would be 30 minutes divided, 15 minutes on each side, when the Committee of the Whole was regrouped.

Ms. PELOSI. Mr. Speaker, I withdraw my reservation of objection.

Mr. ANDREWS. Mr. Speaker, reserving the right to object, may I ask the chairman how the time would be allocated; who would control the time?

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

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

Mr. CALLAHAN. The Chair would have to answer that, but my understanding is that the sponsor of the amendment would have 15 minutes and someone else designated by the Chair would have 15 minutes to oppose the gentleman's amendment. I would assume that would be me.

Mr. ANDREWS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The amendment is withdrawn without prejudice to it being reoffered whenever the Committee resumes its setting under a 30-minute time limit for debate, equally divided.

Without objection, the unanimous consent request is granted.

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 263 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2606.

□ 2334

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, pending was amendment No. 6 offered by the gentleman from New Jersey (Mr. ANDREWS), which has now been withdrawn by order of the House.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 263, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

The amendment offered by the gentleman from California (Mr. CAMPBELL), amendment No. 1 offered by the gentleman from Massachusetts (Mr. MOAKLEY), and Part B amendment No. 3 offered by the gentleman from Pennsylvania (Mr. PITTS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. CAMPBELL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 13, noes 414, not voting 6, as follows:

[Roll No. 351]

AYES—13

Boucher
Campbell
Conyers
Hostettler
McKinney
Paul
Payne
Rohrabacher
Sanford
Sensenbrenner
Taylor (MS)
Thompson (MS)
Watt (NC)

NOES—414

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
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
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore

Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
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
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Barton
Gutierrez
McDermott
Peterson (PA)
Shuster
Skelton

□ 2354

Ms. STABENOW, Mrs. CLAYTON, and Messrs. JACKSON of Illinois, SERRANO, BECERRA, SUNUNU, and RANGEL changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 263, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 1 OFFERED BY MR. MOAKLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Massachusetts (Mr. MOAKLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 197, not voting 6, as follows:

[Roll No. 352]

AYES—230

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Chabot
Clay
Clayton
Clement
Coble
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dixon
Doggett
Dooley
Doyle
Duncan
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Gejdenson
Gephardt
Gibbons
Gilchrest
Gonzalez
Goode
Gordon
Green (TX)
Greenwood
Gutknecht
Hall (OH)
Hastings (FL)
Hayworth
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaHood
Lampson
Lantos
Largent
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Nadler
Neal
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Ramstad
Rangel
Regula
Rivers
Rodriguez
Roemer
Rothman
Rush
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shays
Sherman
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Stabenow
Stark
Strickland
Stupak
Talent
Tancredo
Tauscher
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—197

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Bonilla
Boswell
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Castle
Chambliss
Chenoweth
Clyburn
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Everett
Fletcher
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Martinez
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
Mica
Miller, Gary
Mollohan
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Pease
Pickering
Pickett
Pitts
Pombo
Portman
Radanovich
Rahall
Reyes
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Smith (TX)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Sweeney
Tanner
Tauzin
Taylor (MS)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Turner
Visclosky
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Barton
Gutierrez
McDermott
Peterson (PA)
Shuster
Skelton

□ 0003

Mr. HOYER changed his vote from ''aye'' to ''no.''

Mr. HILL of Indiana and Mrs. BONO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. PITTS

The CHAIRMAN. The pending business is the demand for a recorded vote on Part B Amendment No. 3 offered by the gentleman from Pennsylvania (Mr. PITTS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 9, as follows:

[Roll No. 353]

AYES—187

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Crane
Cunningham
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Ewing
Fletcher
Forbes
Fossella
Franks (NJ)
Gekas
Goode
Goodlatte
Goodling
Goss
Graham
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kildee
King (NY)
Kingston
Knollenberg
LaFalce
LaHood
Largent
Latham
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Quinn
Radanovich
Rahall
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—237

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Greenwood
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Simpson
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn

NOT VOTING—9

Barton
Cubin
Ford
Gutierrez
McDermott
Peterson (PA)
Rush
Shuster
Skelton

☐ 0011

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. WALSH. 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. LAHOOD) having assumed the chair, Mr. THORNBERRY, 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. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

AN HONEST DEMOCRAT IN THE SENATE

(Mr. LARGENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. LARGENT. Mr. Speaker, I would like to read some quotes from one of our senator colleagues in the Senate, a Democrat from the State of Nebraska. He said this:

I recently voted with Republican colleagues for a sensible and realistic tax cut. We are projected to run a $2.9 trillion surplus over the next 10 years, and I strongly believe that we should return part of that money to hard-working Americans. This tax cut will provide Americans with broad-based tax relief and aim squarely at the middle class. To suggest that we cannot afford to cut income taxes when we are running a $3 trillion surplus is ludicrous.

This coming from a Democrat.

To say that tax cuts stand in the way of needed domestic spending, Medicare, and debt relief is also folly. What is standing in the way of debt reduction and a shrinking discretionary spending budget is a refusal to make structural reforms to our entitlement programs.

Mr. Speaker, this comes from a Democrat colleague in the Senate who happened to be one of the co-chairs of the Social Security Reform Committee, and I think when a Democrat is honest that we should tip our hat to him.

[From The Washington Post, July 27, 1999]

WHY I CROSSED PARTY LINES ON THE TAX CUT

(By Bob Kerrey)

As a member of the Senate Finance Committee, I recently crossed party lines to vote with my Republican colleagues for a sensible and realistic tax cut. We are projected to run a $2.9 trillion surplus over the next 10 years, and I strongly believe that we should return part of that money to hard-working Americans.

This tax cut will provide Americans with broad-based tax relief aimed squarely at the middle class. Not only will it encourage Americans to save more for their retirements, it will also encourage Americans to give more generously to charities.

I am proud to have participated in and voted for three budget acts—in 1990, 1993 and 1997—which have radically altered the fiscal condition of the federal government and the debate about how the public's hard-earned tax dollars should be spent. After the enactment of these three budget acts—particularly the 1993 and 1997 budget acts—and on account of impressive gains in private-sector productivity and growth, we were able to reverse the deficit trend.

Deficits have continued to shrink since 1994—and we were able to celebrate our first unified budget surplus (counting Social Security surpluses) of $70 billion last year. The Congressional Budget Office (CBO) is now protecting surpluses of $2.9 trillion over the next 10 years.

Since 1983 working Americans have been forced to shoulder a disproportionate amount of deficit reduction by paying larger-than-necessary payroll (FICA) taxes. Now they are being asked to shoulder a disproportionate share of debt reduction. I strongly believe that a portion of these surpluses should be returned to the American people.

To put it in another context: If, over the next 10 years, Congress projected a balanced budget and I proposed a $3 trillion tax increase, people would call it ridiculous. To suggest we can't afford to cut income taxes when we are running a $3 trillion surplus is just as ludicrous.

To say that tax cuts stand in the way of needed domestic spending, Medicare and debt relief is also folly. What is standing in the way of debt reduction and a shrinking discretionary spending budget is our refusal to make structural reforms to our entitlement programs.

In 1970 entitlement spending accounted for only 35 percent of federal spending. By 2010, it will account for nearly 70 percent of federal spending. During the same period, discretionary spending will have fallen from 58

percent of spending to 27 percent. Absent structural reforms or massive tax increases. Social Security and Medicare will continue to eat up ever larger percentages of our budget—at the expense of important investments in our children and our future.

In the Finance Committee last week, I offered an amendment with Sens. John Breau (D–La.), Charles Grassley (R–Iowa), Charles Robb (D–Va.) and Fred Thompson (R–Tenn.) to cut the payroll tax, increase retirement savings and restore permanent solvency to the Social Security program.

This amendment would have provided a $928 billion payroll tax cut to the 80 percent of American families who pay more in payroll taxes than in income taxes. This tax cut would be directed into individual savings accounts for retirement security. Not only does this amendment provide all workers with a massive payroll tax cut, it also substantially expands the ownership of assets in this nation.

Ownership of wealth is essential for everyone to have a shot at the American dream. The payroll tax is the principal burden on savings and wealth creation for working families. Furthermore, this payroll tax cut would still have left room for Medicare reform, an income tax cut, debt reduction and other spending priorities.

While I did vote for the Senate finance committee tax bill, I believe that a $500 billion income tax cut is a compromise figure that will leave room to reform and modernize the Social Security and Medicare programs and to invest in important domestic priorities, such as education, defense, veterans and housing.

I agree a compromise is ultimately doable. That's why I intend to join Sens. Breaux, John Chafee (R–R.I.) and Jim Jeffords (R–Vt.) in proposing a $500 billion income tax cut alternative. While it can easily be argued that the GOP version is too high, it's also as clear the Democratic alternative is too low.

OMISSION FROM THE CONGRESSIONAL RECORD OF JULY 27, 1999, PAGE H6536, DURING CONSIDERATION OF H.R. 2605, ENERGY AND WATER APPROPRIATIONS ACT, 2000

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, to remain available until expended: *Provided,* That the United States Army Corps of Engineers under this program shall undertake the following functions and activities to be performed at eligible sites where remediation has not been completed: sampling and assessment of contaminated areas, characterization of site conditions, determination of the nature and extent of contamination, selection of the necessary and appropriate response actions as the lead Federal agency, cleanup and closeout of sites, and any other functions and activities determined by the Chief of Engineers as necessary for carrying out this program, including the acquisition of real estate interests where necessary, which may be transferred upon completion of remediation to the administrative jurisdiction of the Department of Energy: *Provided further,* That response actions by the United States Army Corps of Engineers under this program shall be subject to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et seq.), and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR, Chapter 1, Part 300: *Provided further,* That these provisions do not alter, curtail or limit the authorities, functions or responsibilities of other agencies under CERCLA or, except as stated herein, under the Atomic Energy Act (42 U.S.C. 2011 et seq.): *Provided further,* That any sums recovered under CERCLA or other authority from a liable party, contractor, insurer, surety, or other person for any expenditures by the Army Corps of Engineers or the Department of Energy for response actions under the Formerly Utilized Sites Remedial Action Program shall be credited to this account and will be available until expended for response action costs for any eligible site: *Provided further,* That the Secretary of Energy may exercise the authority of 42 U.S.C. 2208 to make payments in lieu of taxes for Federally-owned property where Formerly Utilized Sites Remedial Action Program activities are conducted, regardless of which Federal agency has administrative jurisdiction over the property and notwithstanding references to ''the activities of the Commission'' in 42 U.S.C. 2208: *Provided further,* That the unexpended balances of prior appropriations provided for these activities in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account; and thereafter, may be accounted for as one fund for the same time period as originally enacted.

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.